

FACSIMILE TRANSMISSION

ALCHEMY PROPERTIES INC.
Real Estate Consulting and Marketing

600 Third Avenue, 25th Floor
New York, New York 10016
☎: (212) 972-0055
Fax: (212) 972-0785

XX

TO:

NAME: NYC DEP FAX NO. 718-595-3744

COMPANY: _____

FROM:

NAME: East Tribeca Associates LLC DATE: 2/19/02

RE: Environmental Reports

MESSAGE: _____

Total pages including cover sheet: 16

XX

SHOULD YOU HAVE ANY TRANSMISSION PROBLEMS, CALL (212) 972-0055.

✓



**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

February 12, 2002

ETA Construction c/o Alchemy
600 3rd Avenue
New York, NY 10018

Subject: 38 WARREN STREET *aka*
38-42 Warren St/144 Church St/140 Church 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

R. Radhakrishnan, P.E.

Director

Asbestos Control Program



www.nyc.gov/dep

(718) DEP-HELP

JLC ENVIRONMENTAL CONSULTANTS, INC.
 200 Park Avenue South, Suite 1001, New York, New York 10003
 Phone: (212) 420-8119 Fax: (212) 420-6092

East Tribeca Associates, LLC
 600 3rd Avenue
 New York, NY 10015

ELAP Lab Code: 11029
 NIOSH and AIHA Lab Code: 100273
 NVLAP Lab Code: 101953

Project No.: 01-1761048
 Analyte: ASBESTOS
 Date Received: 9/27/01
 Date Analyzed: 9/27/01
 Batch #: 0109B379

SUMMARY OF ANALYTICAL RESULTS - PLM

Site: 38-44 Warren Street

SAMPLE #

**DATE
COLLECTED**

DESCRIPTION / LOCATION

COLOR

**ASBESTOS
DETECTED?**

**TOTAL % OF
ASBESTOS**

CONSTITUENTS

LAB #

CLIENT'S SAMPLE #

001 9/27/01 10900	Basement	BROWN	NO	0%	CELL FBGL SYNF NFIB	35% 2% 20% 43%
002 9/27/01 10901	1st Floor	TAN	NO	0%	CELL FBGL NFIB	15% 60% 25%
003 9/27/01 10902	2nd Floor	TAN	NO	0%	CELL FBGL NFIB	20% 60% 20%
004 9/27/01 10903 004	3rd Floor	TAN	NO	0%	CELL FBGL NFIB	15% 55% 30%

INSUFFICIENT MATERIAL SUBMITTED

ITEM RECOMMENDED

NOT ANALYZED POSITIVE STOP

Sample Analysis by:

Polarized Light Microscopy-Dispersion Staining (PLM-DS)

Method of Sample Preparation and Analysis:

All samples were prepared and analyzed in accordance with the EPA "Method for the Determination of Asbestos in Bulk Building Materials" USEPA/ 800/ R-93/118, July 1993.

Instrumentation:

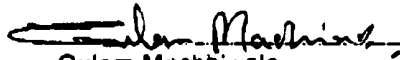
Olympus PLM, Model BH-2/VM Stereomicroscope, Model VMZ 1x-4x.

ASBESTOS CONSTITUENTS

CHRY = Chrysotile Asbestos
 AMOS = Amosite Asbestos
 CROC = Crocidolite Asbestos
 ACTN = Actinolite Asbestos
 TREM = Tremolite Asbestos
 ANTH = Anthophyllite Asbestos

NON-ASBESTOS CONSTITUENTS

PAPF = Paper Fiber
 MINW = Mineral Wool
 FBGL = Fiberglass
 SYNF = Synthetic Fibers
 CELL = Cellulose
 NFIB = Non-Fibrous
 ORGM = Organic Material
 WOLL = Wollastonite
 HSIR = Horse Hair
 OTHR = Other


Gulam Machhiwala
 Laboratory Director

Analytical results reflect the make up of the materials only in the areas sampled. This "Summary of Analytical Results" shall not be reproduced except in full, without the written approval of JLC Laboratory, and it must not be used by client to claim product endorsement by NVLAP or any agency of the U.S. Government. This method is not applicable to samples containing large amounts of fine fibers below the resolution of the light microscope. The value of this method is limited to the qualitative identification of asbestos and the semi-quantitative determination of asbestos content of bulk samples, expressed as a percentage of the protected area. Quantitation of asbestos content was determined with a visual volume estimate, a calibrated grid procedure, and/or point counting procedure. CAUTION! Other fibers with optical properties similar to asbestos may give positive interferences and will be considered asbestos under this methodology. Also PLM is not consistently reliable in detection asbestos in floor coverings and similar non friable organically-bound materials. Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

DISCLAIMER: JLC Environmental Consultants, Inc. did not collect the analyzed samples and thus accepts no liability with regard to their collection and/or maintenance. JLC relies on the client for all sample information prior to delivery at JLC.

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East Tribeca Associates, LLC
 600 3rd Avenue
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ELAP Lab Code: 11029
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Project No.: 01-1761048
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**DATE
COLLECTED**

DESCRIPTION / LOCATION

COLOR

**ASBESTOS
DETECTED?**

**TOTAL % OF
ASBESTOS**

CONSTITUENTS

LAB #

CLIENT'S SAMPLE #

005	4th Floor	TAN	NO	0%	CELL	20%
9/27/01					FBGL	50%
10904					NFIB	30%
006	5th Floor	TAN	NO	0%	CELL	20%
9/27/01					FBGL	50%
10905					NFIB	30%
007	8th Floor	TAN	NO	0%	CELL	20%
9/27/01					FBGL	50%
10906					NFIB	30%
007						

RECEIVED
 OCT 04 2001

BY: Alchemy.....

INSUFFICIENT MATERIAL SUBMITTED

****TEM RECOMMENDED**

*****NOT ANALYZED POSITIVE STOP**

Sample Analysis by:

Polarized Light Microscopy-Dispersion Staining (PLM-DS)

Method of Sample Preparation and Analysis:

All samples were prepared and analyzed in accordance with the EPA Method for the Determination of Asbestos in Bulk Building Materials USEPA/ 800/ R-93/118, July 1993.

Instrumentation:

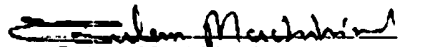
Olympus PLM, Model BH-2/VM Stereomicroscope, Model VM2 1x-4x.

ASBESTOS CONSTITUENTS

CHRY = Chrysotile Asbestos
 AMOS = Amosite Asbestos
 CROC = Crocidolite Asbestos
 ACTN = Actinolite Asbestos
 TREM = Tremolite Asbestos
 ANTH = Anthophyllite Asbestos

NON-ASBESTOS CONSTITUENTS

PAPF = Paper Fiber
 MINW = Mineral Wool
 FBGL = Fiberglass
 SYNFF = Synthetic Fibers
 CELL = Cellulose
 NFIB = Non-Fibrous
 ORGM = Organic Material
 WOLL = Wollastonite
 HSHR = Horse Hair
 OTHR = Other


 Gulam Machhiwala
 Laboratory Director

Analytical results reflect the make up of the materials only in the areas sampled. This "Summary of Analytical Results" shall not be reproduced except in full, without the written approval of JLC Laboratory, and it must not be used by client to claim product endorsement by NVLAP or any agency of the U.S. Government. This method is not applicable to samples containing large amounts of fine fibers below the resolution of the light microscope. The value of this method is limited to the quantitative identification of asbestos and the semi-quantitative determination of asbestos content of bulk samples, expressed as a percentage of the protected area. Quantitation of asbestos content was determined with a visual volume estimate, a calibrated visual area estimate, and/or point counting procedure. CAUTION: Other fibers with optical properties similar to asbestos may give positive interferences and will be considered asbestos under this methodology. Also, PLM is not consistently reliable in detecting asbestos in floor coverings and similar non-friable organically-bound materials. Quantitative transmission electron microscopy is currently the only method that can be used to determine if this material can be considered or treated as non-asbestos containing.

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Environmental Consultants
and Laboratory Services



HYGENIX, INC.

49 Woodside St., Stamford, CT 06902

(203) 324-2222
Fax (203) 324-9857

November 1, 2001

Joseph M. Cosenza
East Tribeca Associates, LLC
Alchemy Properties, Inc.
600 third Avenue, 25th Floor
New York, NY 10016

Re: 38-44 Warren Street New York, NY
Asbestos Testing Report

Dear Mr. Cosenza:

This letter offers a review of the testing I performed at 38-44 Warren Street on October 1, 2001. The testing was conducted to determine the levels of asbestos in dust samples following the collapse of the World Trade Center, approximately three blocks to the south. The six-story building at 38-44 Warren Street was in the process of being completely gutted and renovated on September 11th. Dust from the World Trade Center was deposited on the roof (6th floor) and throughout interior areas of the building where windows were open or not yet installed.

Nine samples of settled dust were collected from representative locations on the roof, throughout the building interior, and along the sidewalk within the boundaries of the construction barrier. The samples were collected with an effort to represent the newly deposited dust, and not the dust that was generated by construction work in the building. Digital photographs were taken to record the conditions at each sampling location (copies enclosed).

The samples were hand-delivered to the Hygenix, Inc. laboratory, where they were analyzed for asbestos by polarized light microscopy (PLM). The test results are summarized in Table 1, below, and presented in detail in the attached laboratory analysis reports.

TABLE 1 – SUMMARY OF ASBESTOS TEST RESULTS

ID #	Sample Location	Asbestos Detected
10101-1	6 th floor, south side	Less than 1%
10101-2	5 th floor, south side	Less than 1%
10101-3	4 th floor, north side	Less than 1%
10101-4	4 th floor, south side	1.5%
10101-5	3 rd floor, south side	Less than 1%
10101-6	2 nd floor, south side	Less than 1%
10101-7	2 nd floor, north side	Trace asbestos
10101-8	Ground floor, entry	No asbestos detected
10101-9	Sidewalk, south side	Less than 1%

Materials containing more than 1% asbestos are classified as *asbestos containing materials* (ACM's), and are subject to regulation by the EPA, OSHA, NYC Department of Environmental Protection and the NYS Department of Labor. To determine the asbestos content of an unknown material, EPA recommends that at least nine samples of the homogeneous material be analyzed. When one or more samples of homogeneous building material contains more than 1% asbestos,

38-44 WARREN STREET

ASBESTOS TESTING REPORT

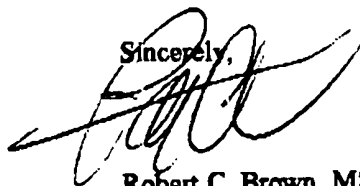
all materials represented by the positive sample are classified as ACM's. Based on this concept, it would be prudent to treat the dust at 38-44 Warren Street as ACM, since one of the samples contained 1.5% asbestos.

Detailed requirements for removal of asbestos containing building materials are set forth in regulations enforced by NYC Department of Environmental Protection. These regulations, however, were not intended to address the current circumstances around the World Trade Center. The NYC Department of Environmental Protection should be contacted for site-specific guidance.

For your information, I have enclosed copies of several recent bulletins issued by the NYC Department of Health offering guidance regarding asbestos and other hazards for building owners and tenants effected by the World Trade Center disaster.

Please call me if you have any questions about the test results, or if we can assist you in any way. I can be reached at 203-324-2222.

Sincerely,



Robert C. Brown, MS, CIH
Director of Industrial Hygiene
Hygenix, Inc.

WARREN.LTR/tb
enclosures



Environmental Laboratory
and Consulting Services

HYGENIX, Inc.

49 Woodside Street - Stamford, Connecticut 06902
Phone: (203) 324-2222 - Fax: (203) 324-9857

Laboratory Report
G0103124

BULK ASBESTOS IDENTIFICATION LABORATORY REPORT

Polarized Light Microscopy by EPA Method 600/R-93-116. July 1993
NVLAP ID#101199 - AIHA ID#100145 - NY ELAP ID#10830
State of Connecticut, Dept. of Health Services ID#PH-0526

CLIENT East Tribeca Assoc., LLC c/o Alchemy Properties Inc.
ADDRESS: 600 Third Avenue, 25th Floor
New York NY 10016

JOB LOCATION: 38-44 Warren Street
New York, NY

COLLECTED BY: R. Brown
DATE COLLECTED: 10/01/2001

DATE RECEIVED: 10/02/2001
DATE ANALYZED: 10/03/2001

Lab ID#	Sample ID# / Location	Layer Name / Sample Description	Asbestos Detected?	Asbestos Type (%)	Non-Asbestos Constituents
0103124-01	10101-1 6th Floor, South Side; 10 ft in on steel	LAYER 1: Dust Residue grey, homogeneous, fibrous dust	Yes	<1% Chrysotile	5% Cellulose Fiber 34% Mineral Wool 55% Non-Fibrous Material 5% Other Non-Fibrous Material
0103124-02	10101-2 5th Floor, South Side; on steel, 4 ft from window	LAYER 1: Dust Residue grey, homogeneous, fibrous dust	Yes	<1% Chrysotile	7% Cellulose Fiber 34% Mineral Wool 58% Non-Fibrous Material
0103124-03	10101-3 4th Floor, North Side; steel	LAYER 1: Dust Residue grey, homogeneous, fibrous dust NOTE: very small sample	Yes	<1% Chrysotile	5% Cellulose Fiber 25% Mineral Wool 69% Non-Fibrous Material
0103124-04	10101-4 4th Floor, South Side; window sill	LAYER 1: Dust Residue grey, homogeneous, fibrous dust	Yes	1.5% Chrysotile	7% Cellulose Fiber 25% Mineral Wool 10% Aggregate 56.5% Non-Fibrous Material
0103124-05	10101-5 3rd Floor, South Side; floor	LAYER 1: Dust Residue grey, homogeneous, fibrous dust	Yes	<1% Chrysotile less than trace% Amosite	7% Cellulose Fiber 35% Mineral Wool 57% Non-Fibrous Material
0103124-06	10101-6 2nd Floor, South Side	LAYER 1: Dust Residue grey, homogeneous, fibrous dust	Yes	<1% Chrysotile	5% Cellulose Fiber 35% Mineral Wool 59% Non-Fibrous Material
0103124-07	10101-7 2nd Floor, North Side	LAYER 1: Dust Residue grey, homogeneous, powdery dust	Yes	Trace% Chrysotile	5% Cellulose Fiber 7% Mineral Wool 87% Non-Fibrous Material
0103124-08	10101-8 Ground Floor; entry vestibule	LAYER 1: Dust Residue grey, homogeneous, powdery dust	No		20% Cellulose Fiber 5% Mineral Wool 75% Non-Fibrous Material



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Laboratory Report

G0103124

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CLIENT: East Tribeca Assoc., LLC c/o Alchemy Properties Inc.
ADDRESS: 600 Third Avenue, 25th Floor
New York NY 10016

JOB LOCATION: 38-44 Warren Street
New York, NY

COLLECTED BY: R. Brown
DATE COLLECTED: 10/01/2001

DATE RECEIVED: 10/02/2001
DATE ANALYZED: 10/03/2001

Lab ID#	Sample ID# / Location	Layer Name / Sample Description	Asbestos Detected?	Asbestos Type (%)	Non-Asbestos Constituents
0103124-09	10101-9 Side Walk, South Side	LAYER 1: Dust Residue grey, homogeneous, fibrous dust	Yes	<1% Chrysotile	8% Cellulose Fiber 35% Mineral Wool 56% Non-Fibrous Material

ANALYST: Wim T. van Middelaar, Ph.D. DATE REPORTED: 10/3/2001

This report relates only to the materials tested and must not be reproduced except in full with the approval of the laboratory.
This laboratory report shall not be used to claim product endorsement by NVLAP or any agency of the U.S. Government.
Samples are analyzed according to the EPA Test Method and are subject to the inherent limitations of Polarized Light Microscopy and interference of matrix components.

New York, NY

Date: 10/1/01

Environmental Laboratory & Consulting Services
49 Woodside Street
Stamford, CT 06902
Tel: (203) 324-2222 Fax: (203) 324-9857

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East West Africa

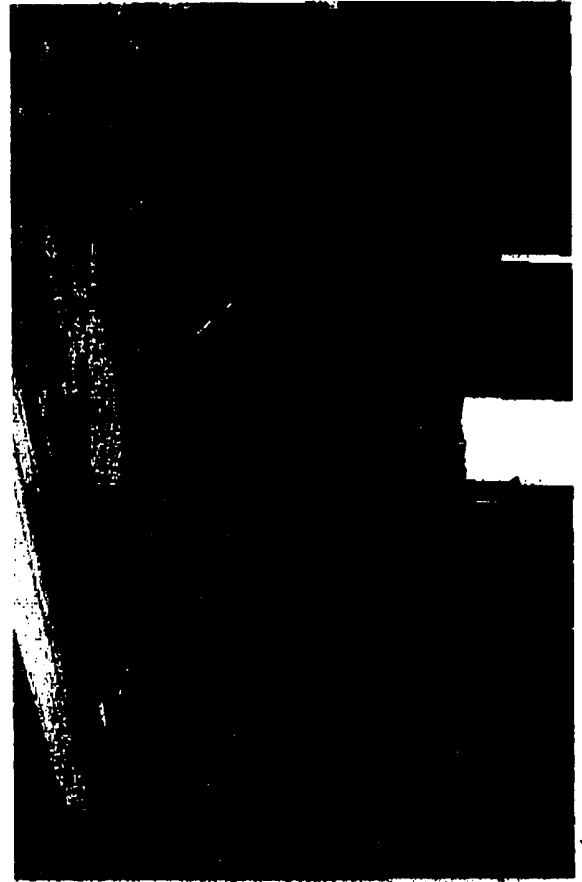
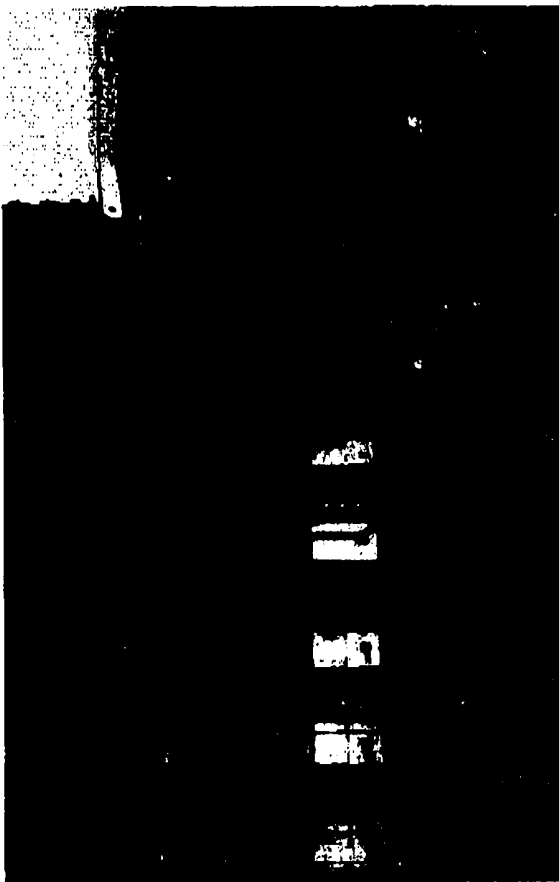
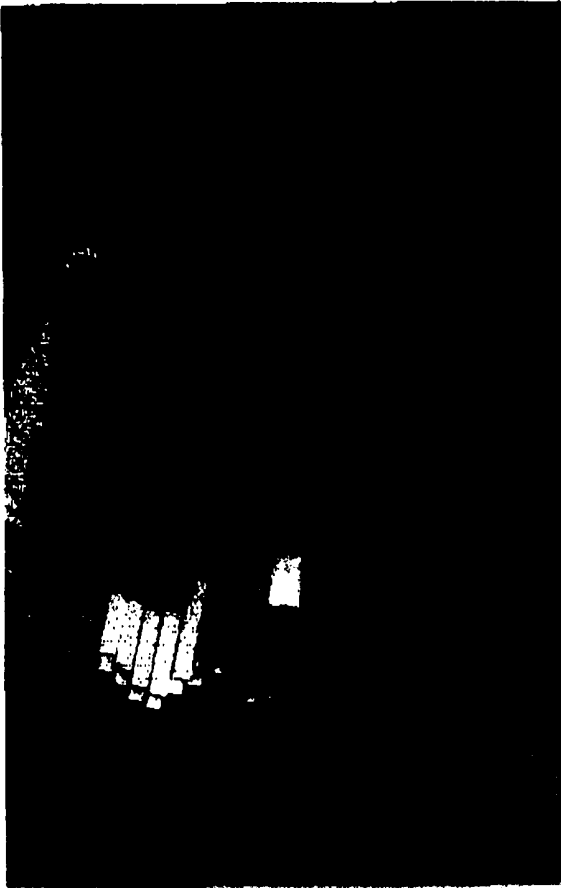


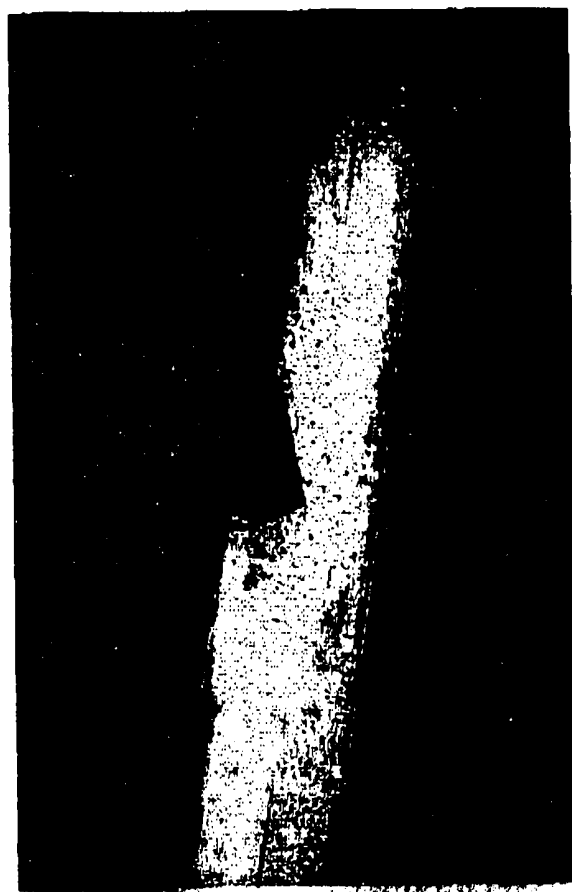
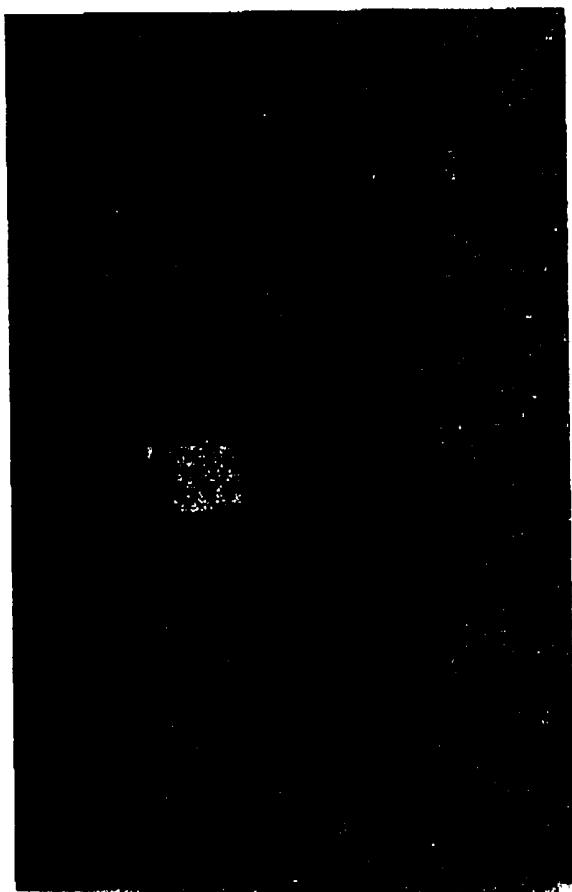
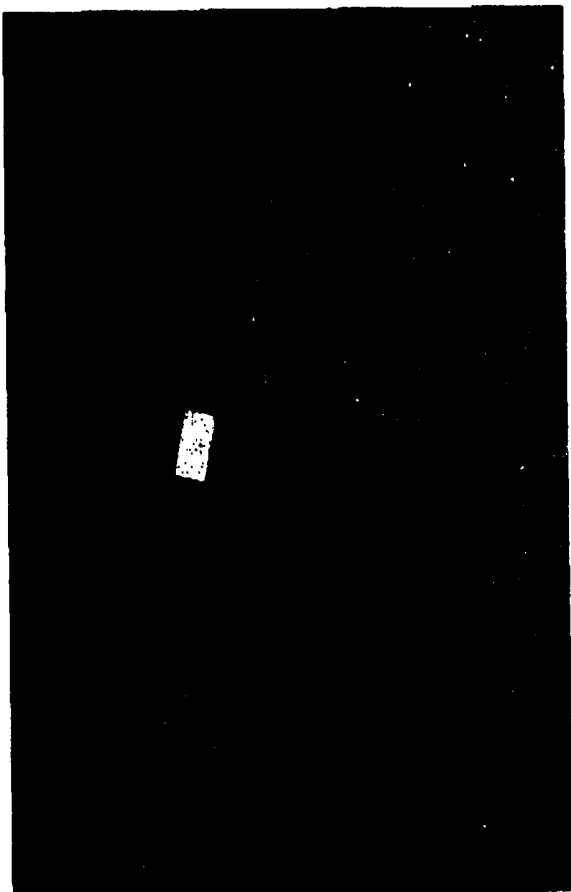
Archery Properties Inc.

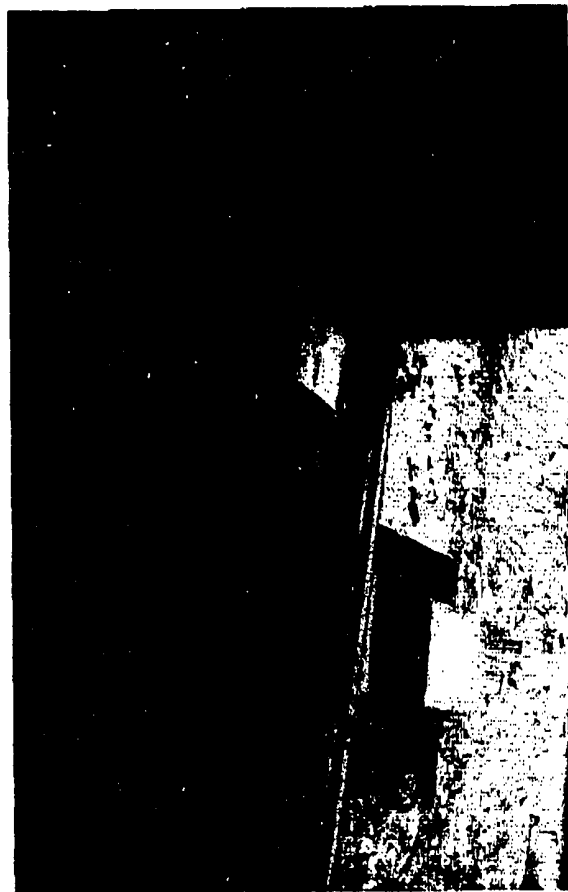
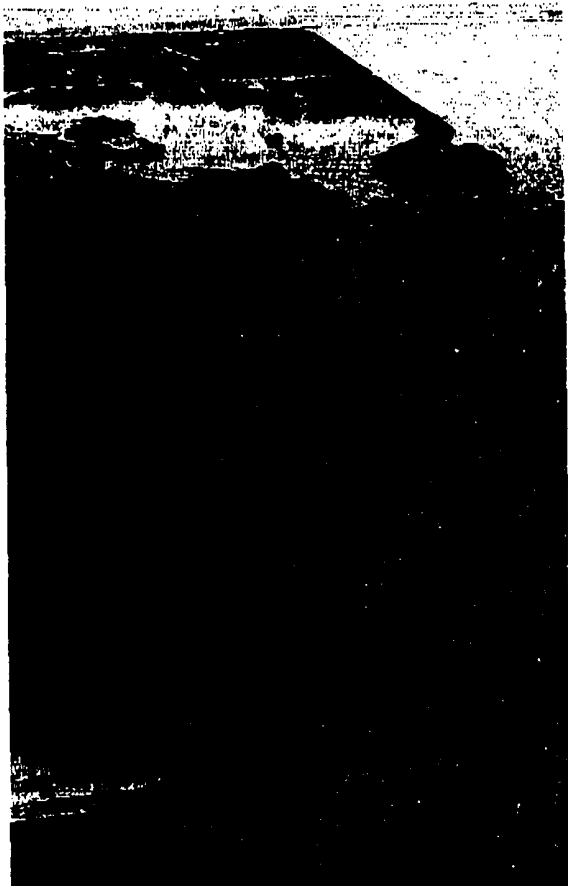
800 Third Avenue, 25th Fl.
New York, NY 10022

T 212-972-0000
Fax 212-972-0792
n.cosenza@att.net

Joseph M. Cosenza







HYGENIX, Inc.

49 Woodside Street
Stamford, CT 06902
Phone: 203-324-2222
Fax: 203-324-8857

FAX TRANSMISSION COVER SHEET

DATE: 11/14/01
TO: JOE COSENZA
Fax: 212-223-7539 and 212-972-0785
Subject: 38-44 WARREN ST.
Sender: BOB BROWN

YOU SHOULD RECEIVE 4 PAGES, INCLUDING THIS COVER SHEET.
IF YOU DO NOT RECEIVE ALL THE PAGES, PLEASE CALL 203-324-2222.

Recent asbestos test results
All samples negative.



Environmental Laboratory
and Consulting Services

HYGENIX, Inc.

60 Woodside Street - Stamford, Connecticut 06902
Phone: (203) 324-2222 - Fax: (203) 324-9857

Laboratory Report

G0103291

BULK ASBESTOS IDENTIFICATION LABORATORY REPORT

Polarized Light Microscopy by EPA Method 600/R-93-116 July 1993

NVLAP ID#101199 - AIMA ID#108145 - NY ELAP ID#10830

State of Connecticut, Dept. of Health Services ID#PH-0526

CLIENT: East Tribeca Assoc., LLC c/o Alchemy Properties Inc
ADDRESS: 600 Third Avenue, 25th Floor
New York NY 10016

JOB LOCATION: 38-44 Warren Street
New York, NY

COLLECTED BY: R. Brown
DATE COLLECTED: 11/09/2001

DATE RECEIVED: 11/12/2001
DATE ANALYZED: 11/12/2001

Lab ID#	Sample ID# / Location	Layer Name / Sample Description	Asbestos Detected?	Asbestos Type (%)	Non-Asbestos Constituents
0103291-01	11901-1 6th Floor	LAYER 1: Fiberglass Insulation Bale yellow, homogeneous, fibrous	No		100% Mineral Wool
0103291-02	11901-2 5th Floor On Insulation Bales	LAYER 1: New Fireproofing Debris off-white, homogeneous, fibrous	No		2% Cellulose Fiber 78% Mineral Wool 20% Non-Fibrous Material
0103291-03	11901-3 5th Floor NE Corner Framing	LAYER 1: New Fireproofing Debris off-white, homogeneous, fibrous	No		73% Mineral Wool 25% Non-Fibrous Material
0103291-04	11901-4 5th Floor SW Corner Column	LAYER 1: New Fireproofing off-white, homogeneous, fibrous	No		70% Mineral Wool 30% Non-Fibrous Material
0103291-05	11901-5 9th Floor Opening in Ceiling	LAYER 1: fiberglass Insulation pale yellow, homogeneous, fibrous	No		3% Cellulose Fiber 87% Mineral Wool 10% Non-Fibrous Material
0103291-06	11901-6A 4th Floor Center Wall	LAYER 1: Brown Plaster beige, heterogeneous, cement-like	No		1% Other Fibrous Material 40% Aggregate 59% Non-Fibrous Material
0103291-07	11901-6B 4th Floor Center Wall	LAYER 1: White Plaster non-homogeneous, pale, white plaster-like	No		97% Plaster 3% Paint
0103291-08	11901-7A 4th Floor NW Wall	LAYER 1: Brown Plaster beige, heterogeneous, cement-like	No		1% Other Fibrous Material 40% Aggregate 59% Non-Fibrous Material
0103291-09	11901-7B 4th Floor NW Wall	LAYER 1: White Plaster non-homogeneous, pale, white plaster-like	No		70% Plaster 30% Paint



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and Consulting Services

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Laboratory Report
G0103291

BULK ASBESTOS IDENTIFICATION LABORATORY REPORT

Polarized Light Microscopy by EPA Method 600/2-93-116. July 1993

NVLAP ID#101199 - AIEA ID#100145 - NY ELAP ID#10030

State of Connecticut, Dept. of Health Services ID#PR-0526

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JOB LOCATION: 38-44 Warren Street
New York, NY

COLLECTED BY: R. Brown
DATE COLLECTED: 11/09/2001

DATE RECEIVED: 11/12/2001
DATE ANALYZED: 11/12/2001

Lab ID#	Sample ID# / Location	Layer Name / Sample Description	Asbestos Detected?	Asbestos Type (%)	Non-Asbestos Constituents
0103291-10	11901-8A 3rd Floor NW Wall	LAYER 1: Brown Plaster thin, homogeneous, curved-tile	No		1% Other Fibrous Material 40% Aggregate 59% Non-Fibrous Material
0103291-11	11901-8B 3rd Floor NW Wall	LAYER 1: White Plaster non-homogeneous, paint, white plaster-tile	No		80% Plaster 20% Paint
0103291-12	11901-9 3rd Floor Opening in Ceiling	LAYER 1: Fiberglass Insulation pale yellow, homogeneous, fibrous	No		95% Mineral Wool 5% Non-Fibrous Material
0103291-13	11901-10 2nd Floor NW Corner	LAYER 1: Fiberglass Insulation Bale pale yellow, homogeneous, fibrous	No		95% Mineral Wool 5% Non-Fibrous Material

ANALYST: Wim T. van Middelaar, Ph.D.

DATE REPORTED: 11/13/2001

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Samples are analyzed according to the EPA Test Method and are subject to the inherent limitations of Polarized Light Microscopy and transference of matrix components.

BULK SAMPLE LOG					
Client: <u>Tribea Associates</u>	Type: <u>PCM</u>	HYGENIX, Inc. Environmental Laboratory & Consulting Services 49 Westside Street Stamford, CT 06902 Tel: (203) 314-2222 Fax: (203) 314-9857			
Site: <u>58-44 Warren St.</u>	Technician: <u>A Brown</u>				
<u>New York, NY</u>	Date: <u>11/19/01</u>				
LAB ID#	SAMPLE #	SAMPLING LOCATION	DESCRIPTION	QTY.	RESULT
0103291-01	11701-1	6th Floor	Fiberglass Insulation Bole		
0103291-02					
0103291-03					
0103291-04					
0103291-05					
0103291-06					
0103291-07					
0103291-08					
0103291-09					
0103291-10					
0103291-11					
0103291-12					
0103291-13					
Notes: Is the Client Address the same as the Site Address?					

Address: 38 WARREN ST. aka 38-4R
 Warren / 144 Church
 140 Church

Bulk Samples PLM Yes No

Number of Negative ($\leq 1\%$) Samples 2.5 ~~###~~ ~~##~~ ~~###~~, 13

Number of Positive ($> 1\%$) Samples 1 1

Air Samples Yes No

PCM

Number of Samples Collected (≤ 0.01 f/cc) _____

Number of Samples Collected (>0.01 f/cc) _____

TEM

Number of Samples Collected (≤ 70 s/mm²) _____

Number of Samples Collected (>70 s/mm²) _____