

PINNACLE ENVIRONMENTAL CORP.

FACSIMILE TRANSMITTAL SHEET

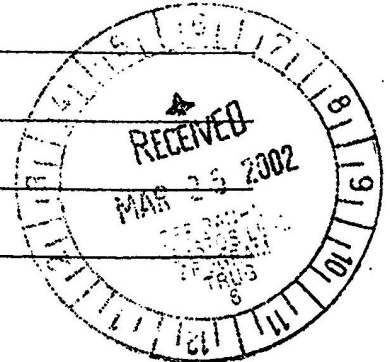
TO: KRISH R. FROM: Genny
COMPANY: DAP DATE: 3/19/02
FAX NUMBER: 595-3648 NO. OF PAGES INCL. COVER: 7
RE: United Artists Clean up OPERATOR:

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

United Artists Theater on North End Ave,
between Vesey st & Murexy st.

We will be cleaning the heavily dusted areas in
Ground Floor Lobby, Intermediate Level Mezzanine
& Concession stand area at top of 1st escalator.

We will set up a decon outside & attached to
the entrance.



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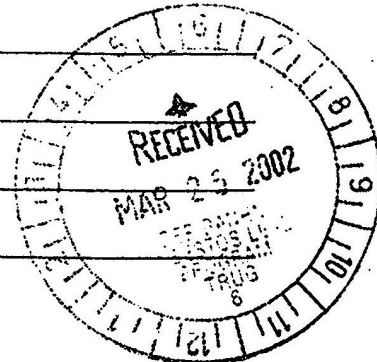
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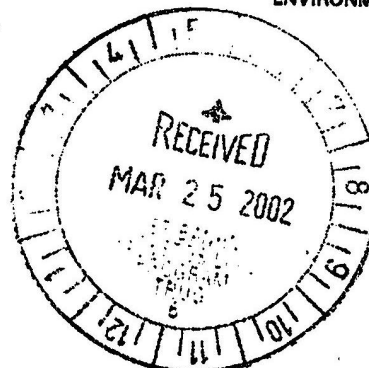
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January 9, 2002

Mr. Dave Beaver
Eastland Claims
1010 Wethersfield Ave.
Hartford, CT. 06114

Dear Mr. Beaver:



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On January 3, 2002 Hillmann Environmental Group Representative Joe Hillmann performed an assessment at the United Artists Theater Complex located at the Embassy Suite building in Battery Park in New York City (theater). The purpose of the assessment was to evaluate the impact of the World Trade Center disaster on the theater. Specifically, it was to be determined the scope and quantity of dust infiltration into the theater, to make recommendations for remediation and to develop a scope of work.

The collapse of the various World Trade Center buildings resulted in the widespread distribution of debris and dust which resulted from the pulverization of plaster, sheetrock, ceiling tiles, fireproofing and other building materials. It is a known fact that numerous floors of the World Trade Center buildings had asbestos containing fireproofing applied to the steel as well as floor tile and mastic.

This dust has infiltrated the theater at the front door and at the window at the first landing both on the east side of the building. In addition it is assumed to have penetrated the duct system based on the set up of the system. The dust level diminishes as distance from the openings on the east increases. Samples of this dust indicate that it is an asbestos containing material. The following is the definition and extent of the dust found in the theater.

WORK LOCATION |||| Heavily Dusty areas are areas where both dust and chunks of debris are present. Heavily dusty areas are the north side of the lobby, the first (lowest) escalator and the first landing area at the top of the first escalator.

Medium Dusty areas are areas where the dust coating is thick enough that the original color of non-porous items where dust is present is not apparent due to the coating of dust. Medium dusty areas are located at the perimeter of the heavily dusty areas and include the south lobby area. There was some question as to whether this part of the lobby (where the ticket counter is) ^{is} was part of the theater property or the Embassy Suites property.

Lightly Dusty areas are areas where dust is visible but does not obscure the original color of non-porous items where the dust is present. Lightly dusty areas are the common areas of the first theater floor and part of the second theater floor.

Undusted areas are areas where dust is not apparently visible on non-porous items. Undusted areas are all of the auditoriums, the top level common area and the mechanical spaces.

The interior of the ductwork is assumed to be lightly or undusted. The basis of this assumption is that there are no dampers at the main intake opening located on the roof. Therefore it is likely that the dust has infiltrated the duct work to some extent.

The following is a basic outline of the approach we recommend to remediate the dust at the property. The basic approach is to follow NYC DEP directive of September 14, 2001 'Clean-up of Asbestos Containing Material' put out in response to the World Trade Center attack with some modification. The DEP first states in this directive that 'minimal dust (light coating) accumulations can be cleaned using wet methods and/or HEPA vacuums'. They then go on to state that 'dust that includes pieces of debris must be sampled ... to determine whether the material is asbestos containing material'. This has been done and it has been determined that the debris is ACM. If the NYC DEP guidelines were to be followed, only the areas with debris present should be treated as asbestos removal projects. The remainder of the building where dust is present would be cleaned by wet methods and or HEPA vacuuming without being considered an asbestos abatement project.

*

Heavily Dusted:

In these areas all porous items at a minimum should be disposed of as contaminated waste. These areas should be abated under a containment by a licensed contractor following applicable standards. The use of remote decontamination units is allowable if properly filed and precautions are taken to prevent spread of dust. Follow up cleaning by restoration contractors using HEPA vacuuming and damp methods can be done following clearance air testing.

Medium Dusted:

The dust coating is thick enough that the original color of non-porous items where dust is present is not apparent due to the coating of dust. In these areas work should be done by licensed asbestos contractor following applicable standards. Some non-porous items can be cleaned and saved. Follow up cleaning by restoration contractors using HEPA vacuuming and damp methods can be done following clearance air testing.

Lightly Dusted:

These areas should be cleaned by restoration contractors using HEPA vacuuming and damp methods. There is no necessity to use asbestos abatement workers in these areas.

UNITED ARTISTS THEATER: CONTAMINATED DUST CLEANUP

SCOPE OF WORK

The scope of work consists of the decontamination and removal of all dust in the United Artists Theater located at North End Avenue in Battery Park City, New York, clean-up and decontamination of all below ceiling surfaces in all areas of the premises and duct cleaning of all ducts and mechanical equipment.

The collapse of the various World Trade Center buildings resulted in the widespread distribution of debris and dust which resulted from the pulverization of plaster, sheetrock, ceiling tiles, fireproofing and other building materials. It is a known fact that numerous floors of the World Trade Center buildings had asbestos containing fireproofing applied to the steel as well as floor tile and mastic.

This dust has infiltrated the theater at the front door and at the window at the first landing both on the east side of the building. In addition it is assumed to have penetrated the duct system based on the set up of the system. The dust level diminishes as distance from the openings on the east increases. Samples of this dust indicate that it is an asbestos containing material. The following is the definition and extent of the dust found in the theater.

Heavily Dusted areas are areas where both dust and chunks of debris are present. Heavily dusted areas are the north side of the lobby, the first (lowest) escalator and the first landing area at the top of the first escalator.

Medium Dusted areas are areas where the dust coating is thick enough that the original color of non-porous items where dust is present is not apparent due to the coating of dust.

Medium dusted areas are located at the perimeter of the heavily dusted areas and include the south lobby area.

Lightly Dusted areas are areas where dust is visible but does not obscure the original color of non-porous items where the dust is present. Lightly dusted areas are the common areas of the first theater floor and part of the second theater floor.

Undusted areas are areas where dust is not apparently visible on non-porous items. Undusted areas are all of the auditoriums, the top level common area and the mechanical spaces.

The interior of the ductwork is assumed to be lightly or undusted. The basis of this assumption is that there are no dampers at the main intake opening located on the roof. Therefore it is likely that the dust has infiltrated the duct work to some extent. Specifications for duct cleaning are located in Appendix A of this document.

SCOPE OF WORK

Page 1 of 14

UNITED ARTISTS THEATER: CONTAMINATED DUST CLEANUP**SITE SPECIFIC CONDITIONS****Heavily and Medium Dusted Areas:**

These areas should be completed prior to work in other areas of the theater.

Critical barriers should be installed as the first step in the area followed by a preliminary gross cleaning.

These areas are to be abated by use of HEPA vacuuming and wet wiping as appropriate under a negative pressure containment by a licensed asbestos removal contractor following applicable standards. HEPA equipped air filtration units must provide a minimum of 4 air changes per hour during the course of the abatement phase of the project.

At least 2 cleanings are to be performed by the asbestos abatement contractor in these areas.

The use of remote decontamination units is allowable if properly filed and precautions are taken to prevent spread of dust.

In the heavily dusted areas all porous items at a minimum should be disposed of as contaminated waste. In the medium dusted areas some non-porous items can be cleaned and saved. This will be determined in the field on a case by case basis.

The work is to include cleaning and decontamination of the escalators within the area.

The tops of ceilings and above ceiling components are to be cleaned in these areas.

Follow up cleaning by restoration contractors using HEPA vacuuming and damp methods can be done following clearance air testing.

Lightly Dusted:

These areas should be cleaned by restoration contractor personnel using HEPA vacuuming and damp methods. The use of asbestos abatement workers in these areas is not required. The cleaning should consist of HEPA vacuuming and wet wiping followed by wet extraction cleaning of the carpets. A minimum of 2 cleanings is to be done in these areas. All HVAC openings into the area are to be sealed prior to cleaning.

Undusted Areas:

Though dust is not visibly present, as a precaution, these areas should be cleaned by restoration contractors using HEPA vacuuming and damp methods. The use of asbestos abatement workers in these areas is not required. The cleaning should consist of HEPA vacuuming and wet wiping followed by wet extraction cleaning of the carpets.

SCOPE OF WORK

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UNITED ARTISTS THEATER: CONTAMINATED DUST CLEANUP

SITE SPECIFIC CONDITIONS**Clearance Testing:**

At the conclusion of cleaning aggressive air sampling and wipe sampling for asbestos will be conducted to allow re-occupancy. The air criteria to be achieved is .01 fibers per cubic centimeter of air by phase contrast microscopy or 70 asbestos structures per square centimeter of filter by transmission electron microscopy. Wipe sampling criteria is 2000 asbestos structures per square centimeter of area by ASTM Method 5755.

GENERAL CONDITIONS

1. All Asbestos Containing Material will be disposed of at an owner and/or DEP approved landfill.
2. Amounts of material that are supplied as part of this scope of work are estimates only. The contractor is responsible for determining exact quantities. No extras shall be given on differences from the given approximations.
3. The contractor is responsible for supplying all materials and labor for non-asbestos work (i.e. plumbing, electrical, carpentry) that are related to this decontamination project.
4. The contractor is responsible for making all the required City, State, and Federal notifications for the project and obtain the construction permit and provide any variances. Any associated filing fees are the contractors responsibility.
5. All electrical power to the work area in asbestos abatement areas shall be protected by Ground Fault Interrupters located outside of the work area.
6. The contractor is responsible for running OSHA personal air monitoring according to 29 CFR 1101. OSHA samples shall be collected and analyzed using the NIOSH 7400 method by an OSHA defined competent person. The turn around time for results shall not exceed 24 hours and must be posted at the job site. This applies to all phases of the project including restoration cleaning personnel.
7. The contractor must protect workers according to OSHA Regulations 29 CFR 1910.134, 29 CFR 1910.1001, and 29 CFR 1101.
8. The contractor must fulfill all revisions to EPA NESHAPS dated November 20, 1990 for the asbestos abatement phase of the project..
9. Asbestos containers must be labeled as required by OSHA at 29 CFR 1910.1001 (J)2 or CFR 29 1101 (K)(2)(iii).
10. All work to be done and bid on a straight time basis.

SCOPE OF WORK

Page 3 of 14

UNITED ARTISTS THEATER: CONTAMINATED DUST CLEANUP

10. Asbestos removal must comply with all applicable federal, state, and municipal regulations, codes, memoranda and ordinances including but not limited to the following:

USEPA ASBESTOS ABATEMENT PROJECTS RULE 40 CFR 762
USEPA REGULATIONS FOR ASBESTOS 40 CFR 61 SUBPART A
USEPA NATIONAL EMISSION STANDARD FOR ASBESTOS 40 CFR 61
SUBPART M
NYC TITLE 15
NYS ICR 56
OSHA 29 CFR 1101

SUBMITTALS

The following items shall be submitted to and approved by the Owner & Consultant:

1. The contractor must submit a project schedule including time (estimated starting & completion dates) & manpower (men per shift).
2. Items required prior to commencing work involving asbestos material:
3. Certificates of Compliance: Submit manufacturers certification that vacuums, ventilation equipment, and other equipment required to contain airborne asbestos fibers conform to ANSI Z9.2.
4. Submit a copy of the asbestos worker's licenses & certifications as specified herein that employees have had instructions on the hazard of asbestos exposure, on respirator use, decontamination and OSHA regulations. Asbestos workers must have taken an approved 30 hour asbestos worker course.
5. Submit to Hillmann documentation indicating that all asbestos workers who will be present on the project have been examined by a physician in accordance with OSHA regulations.
6. Submit a copy of fit test certification and EPA required respirator program for all asbestos workers present on the project.
7. Submit a copy of the contractor's New York State asbestos removal license.
8. Landfill: Submit written evidence that the landfill for disposal is approved and permitted for asbestos disposal by the US EPA and state, and local regulatory agencies.
9. Insurance: Submit certificates of insurance for this project in accordance with the attached insurance requirements.

SCOPE OF WORK
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