



Warren & Panzer Engineers, P.C.
228 East 45th Street
New York, New York 10017
Tel. (212) 922-0077
Fax (212) 922-0630

July 1, 2002

Mr. Leonard G. Atteloney
New York City Department of Environmental Protection
96-05 Horace Harding Expressway
Corona, NY 11368

Re: Final Clearance TEM Air Sample Results

W&P File #: 1079.01.02

Dear Mr. Atteloney:

On June 21, 2002, a roofing-cleaning project was completed at the building located at 5 Beekman Street. Transmission Electron Microscopy air samples were collected at the completion of the abatement work. Final clearance air samples collected met the clearance criteria of less than 70 Structures per square millimeter set forth by the NYS Department of Labor Industrial Code Rule 56 and the NYC Department of Environmental Protection Title 15, Chapter 1 Asbestos Rules and Regulations, and this area can now be re-occupied.

Along with this correspondence, I have enclosed a copy of the final visual inspection checklist. If you have any questions or should you need additional information, please contact me at (212) 922-0077.

Sincerely,

WARREN & PANZER ENGINEERS, P.C.

Michael R. Nolan
Senior Project Manager

cc: Krish Radhakrishnan, PE
Attachment(s)

*A Member of
The Warren & Panzer Group*

Warren & Panzer Group

FINAL VISUAL INSPECTION OF ABATEMENT PROJECTS

W&P Project #:...1079-01-02.....

Project Name:...DEP ROOFS AND FACADES CLEANING.....

W&P Project Manager:MICHAEL NOLAN.....

Abatement Contractor:.....BENJAMIN KURZBAN & SON.....

Job Location:.....5 BEEKMAN STR.....

Type of Abatement: (circle)

Cleaning Removal Enclosure Glovebag Encapsulation

Visual Inspection checklist (No Residual Dust or Debris Observed - Yes or No)

Floor:.....

Parapet walls:.....

Parapet ledges:.....

Bulkheads:.....YES.....

Roofs:.....YES.....

Ventilation Duct:

Miscellaneous Surfaces:

Facades:

Circle One

Pass

Fail

Field Notes: (Record any problems encountered here.)

.....
.....
.....
.....

Name.....FAYED EL-GENDI.....

Signature.....F. El-Gendi.....

Date.....06.21.02.....
A Member of
The Warren & Panzer Group

IESI NY CORPORATION

110 5th Street • Brooklyn, NY 11215

Phone: 718-522-2263 • Fax: 718-522-2697

MANIFEST

11360

DATE 7/15/02

GENERATOR	1. Job Site Address 5 Beckman Street New York, N.Y.		Owner's name Dept Of Enviro Protection	Wait and Load Time In _____ Time Out _____
	2. Contractor's name and address Benjamin Kurzban & Son 1248 Ralph Avenue Brooklyn, NY 11236			Drop Date
	3. Waste disposal site name and address IESI Blue Ridge Landfill Corporation P.O. Box 399 Scotland, Pa 17254			WDS phone number Permit # 100934
	4. Name and address responsible agency (Local, District or EPA Office where notification was sent) US EPA 290 Broadway, New York 10007			
	5. Description of materials F. (RQ) WASTE ASBESTOS 9, NA2212, III	6. VEH. LIC. # TYPE SIZE	7. TOTAL QUANTITY 10 BAGS CUBIC YARDS	
	8. Generator Certification	I/c 11016		
	9. CONTRACTOR CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked and labeled, and are in all respects in proper condition for transport by highway according to applicable international government regulations.			
	Printed/Typed Name <u> </u> Title <u> </u> Signature <u> </u> Date (M/D/Y) <u>7/15/02</u>		DEC Permit No. <u>JA-462</u>	
	10. Transporter #1 (Acknowledgement of receipt of materials) IESI NY CORPORATION • 110 5th Street, Brooklyn, NY 11215		DEC Permit No. <u>JA-462</u>	
	Printed/Typed Name <u>S. Anderson</u> Title <u>DRIVER</u> Signature <u> </u> Date (M/D/Y) <u>7/15/02</u>		DEC PERMIT # <u> </u>	
11. Transporter #2 (Acknowledgement of receipt of materials)		DEC PERMIT # <u> </u>		
Printed/Typed Name <u>J. Kus</u> Title <u>DR</u> Signature <u> </u> Date (M/D/Y) <u>7/17/02</u>		DEC PERMIT # <u> </u>		
12. Discrepancy indication space				
13. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item #12				
Printed/Typed Name <u>Kathina K. Kirk</u> Title <u>Hotkeeper</u> Signature <u>Kathina K. Kirk</u> Date (M/D/Y) <u>7/18/02</u>				

WHITE:LANDFILL • GREEN:IESI • PINK:GENERATOR • YELLOW:CONTRACTOR • GOLD:JOB SITE

IESI NY CORPORATION

110 5th Street • Brooklyn, NY 11215
Phone: 718-522-2263 • Fax: 718-522-2697

MANIFEST

11494

DATE 7/22/02

G E N E R A T O R	1. Job Site Address 5 Beekman Street New York, NY		Owner's name Dept Of Enviro Protection	Wait and Load Time In _____ Time Out _____
	2. Contractor's name and address Benjamin Kfir Zouan & Son 1248 Ralph Avenue Brooklyn, NY 11236			Drop Date
	3. Waste disposal site (WDS) name, mailing address and physical site location IESI Pa River Bridge Landfill Corporation P O Box 399 Scotland, Pa 17254			WDS phone number Permit # 100934
	4. Name and address responsible agency (Local, District or EPA Office where notification was sent) US EPA 290 Broadway, New York 10007			
T R A N S P O R T E R	5. Description of materials (RQ) WASTE ASBESTOS 9, NA2212, III	6. VEH. LIC. # TYPE (105ED) SIZE 30yd	7. TOTAL QUANTITY BAGS 10 CUBIC YARDS 11-520	
	8. Generator Certification			
	9. CONTRACTOR CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked and labeled, and are in all respects in proper condition for transport by highway according to applicable international government regulations.			
	Printed/Typed Name IESI NY CORPORATION		Title DRIVER	Signature <i>[Signature]</i>
W A S T E S I T E	10. Transporter #1 (Acknowledgement of receipt of materials) IESI NY CORPORATION • 110 5th Street, Brooklyn, NY 11215			DEC Permit No. JA-462
	Printed/Typed Name IESI			Date (M/D/Y) NI 163
	11. Transporter #2 (Acknowledgement of receipt of materials)			DEC PERMIT #
	Printed/Typed Name IESI			Date (M/D/Y) NI 163
12. Discrepancy indication space 2 Reels				
13. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item #12				
Printed/Typed Name Kirk		Title Gatekeeper	Signature <i>[Signature]</i>	Date (M/D/Y) 7/26/02

WHITE:LANDFILL • GREEN:IESI • PINK:GENERATOR • YELLOW:CONTRACTOR • GOLD:JOB SITE

IESI NY CORPORATION

110 5th Street • Brooklyn, NY 11215
Phone: 718-522-2263 • Fax: 718-522-2697

MANIFEST

11494

DATE 7/22/02

G E N E R A T O R	1. Job Site Address 5 Beekman Street New York, NY		Owner's name Dept Of Enviro Protection	Wait and Load Time In _____ Time Out _____
	2. Contractor's name and address Benjamin Kutzan & Son 1248 Ralph Avenue Brooklyn, NY 11226			Drop Date
	3. Waste disposal site (WDS) name, mailing address and physical site location IESI P. Box 399 Scotland, Pa 17254			WDS phone number Permit # 100934
	4. Name and address responsible agency (Local, District or EPA Office where notification was sent) US EPA 290 Broadway, New York 10007			
T R A N S P O R T E R	5. Description of materials (RQ) WASTE ASBESTOS 9, NA2212, III	6. VEH. LIC. # TYPE (105E1) SIZE 30yd	7. TOTAL QUANTITY BAGS CUBIC YARDS 10 11-220	
	8. Generator Certification			
	9. CONTRACTOR CERTIFICATION: I hereby declare that the contents of this consignment are fully and accurately described above by proper shipping name and are classified, packed, marked and labeled, and are in all respects in proper condition for transport by highway according to applicable international government regulations.			
W A S T E S I T E	Printed/Typed Name	Title	Signature	Date (M/D/Y) 7/22/02
	10. Transporter #1 (Acknowledgement of receipt of materials) IESI NY CORPORATION • 110 5th Street, Brooklyn, NY 11215			DEC Permit No. JA-462
	Printed/Typed Name	Title	Signature	Date (M/D/Y) 7/22/02
	11. Transporter #2 (Acknowledgement of receipt of materials)			DEC PERMIT #
	Printed/Typed Name	Title	Signature	Date (M/D/Y)
12. Discrepancy indication space R R				
13. Waste disposal site owner or operator: Certification of receipt of asbestos materials covered by this manifest except as noted in item #12				
Printed/Typed Name	Title	Signature	Date (M/D/Y) 7/22/02	

WHITE:LANDFILL • GREEN:IESI • PINK:GENERATOR • YELLOW:CONTRACTOR • GOLD:JOB SITE

LICENSE AGREEMENT

This License Agreement made this 16 day of MAY 2002 by and between the CITY OF NEW YORK (hereinafter called "the City"/Licensee), acting by and through the Department of Environmental Protection of the City of New York (hereinafter called "DEP"), with an office at 59-17 Junction Boulevard, Corona, New York 11368-5107 and 3/9 Beekman Street LLC c/o Shire Realty Corp. ("Landowner/Licensor") the owner of the premises at 5 BEEKMAN STREET (the "Premises").

WHEREAS, the facades, roofs and setbacks ("exterior areas") of many structures in close proximity to the site of the former World Trade Center have been found to contain debris, refuse and other deposits ("the foreign material") of unknown origin;

WHEREAS, the owners of said structures are desirous of having the foreign material removed;

WHEREAS, the City believes that it is in the interest of the public to undertake a clean up of these exterior areas;

WHEREAS, the City's willingness to undertake such a cleanup should not in any way be construed as an acknowledgment or admission that the City is any way responsible for any condition, environmental or otherwise, that may exist in or on the exterior areas or that the foreign material is a risk to the public health or safety;

NOW THEREFORE, it is hereby agreed by and between the parties to this agreement, for and in consideration of One Dollar and other good and valuable consideration, the receipt of which is hereby acknowledged,

1. **Permission to Perform Cleaning Work.** Subject to the terms and conditions hereof, Licensor hereby grants permission to Licensee and its authorized contractor(s) to perform the cleaning work on the exterior areas of the structure(s) located on the Premises, as described in the Scope of Work attached hereto as Exhibit A and made a part hereof (the "Cleaning Work").

2. **Grant of Access.** Subject to the terms and conditions hereof, Licensee and its agents, contractors and employees shall have the right, at all times while this License Agreement is in effect, to enter in and on the Premises, and to cross the Premises, with personnel, material and equipment, for the purpose of performing the Cleaning Work. It is expressly understood that the right granted under this Section 2 includes:

(a) the right to access all portions of the Premises deemed necessary by Licensee or its contractor(s) in order to properly perform the Cleaning Work, including (without limitation) roofs, parapets, window ledges, and other building exterior surfaces; and