NYC DEP ACP Fax:7185953648

** Transmit Conf. Report **

P.1 Jul 6 2006 14:29

Fax/Phone Number	Mode	Start	Time	Page	Result	Note
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NOV-25-2002 11:10 718 243 3772 P.01/01

The City of New York

Department of Environmental Protection

59-17 Junction Boulevard
Flushing, New York
(718) 595-3721

Christopher D. Ward
Commissioner

Robert C. Avaltroni
Deputy Commissioner

Bureau of Environmental Compliance

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

November 25, 2002

Mr. John Malvasio
Department of Subways – MOW
New York City Transit
370 Jay Street, Room 1125B
Brooklyn, New York 11201
Fax. (718) 243-3772

Subject: Subway Entrance Closure at Southwest Corner of Broadway and Dey Street

Dear Mr. Malvasio:

As you are aware from our previous correspondences, the NYC DEP has been removing debris from the collapse of the WTC from exterior building surfaces since June 2002. A NYSDOL licensed asbestos contractor with NYC DEP and NYSDOL certified workers performs the cleaning activities and an independent air monitor performs air sampling. The NYC DEP monitors the cleaning activities

The building at 189 Broadway is scheduled for cleaning of exterior surfaces. We are requesting your assistance and cooperation for closure of the subway entrance at the southwest corner of Broadway and Dey Street for the cleaning of the building facades. This program is coming to a close and we would appreciate your help in expediting this request. The station is normally closed at 9:30 P.M. We would therefore like to begin work at that time so as not to impact the station. We will mobilize as soon as we have Transit and DOT approval. We will not be able to get approval from DOT until we receive a written reply from your office.

Thank you in advance for your time and effort. If you have any questions or require additional information, please contact me at (718) 595-3721 or Penny Theodorellys at (718) 595-3657.

Sincerely,

Penny Theodorellys for

R. Radhakrishnan, P.E.
Director
Asbestos Control Program

Post-it Fax Note 7671	Date 7-6-06	# of pages 6
To Balbir Sodla	From Kirsh	
Co./Dept. MTA	Co. DEP	
Phone # 646-252-4381	Phone # 718-595-3721	
Fax # 646-252-2264	Fax # 718-595-3744	

OK TO go
J Malvasio

cc. Eric Kim, NYCDOT

Please protect entrance with plastic to stop water.

(718) DEP-HELP

TOTAL P.01

The City of New York
Department of Environmental Protection
59-17 Junction Boulevard
Flushing, New York
11373-5108

Christopher O. Ward
Commissioner

Robert C. Avaltroni
Deputy Commissioner

Bureau of Environmental Compliance

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

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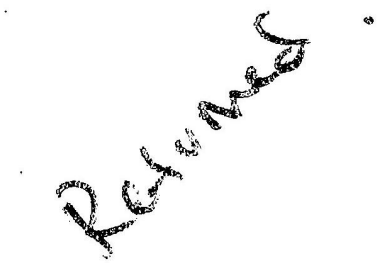
R. Radhakrishnan, P.E.
Director
Asbestos Control Program

OK TO GO
J Malvasio

cc. Eric Kim, NYCDOT

Please Protect entrance with plastic to stop water.

DEP
www.nyc.gov/dep
(718) DEP-HELP



WTC Visual Survey Form

Premise Address: 189 Broadway

Block: 63 **Lot:** 13	**Residential** ☐ **Commercial** ☒ **Mix Use** ☐ **Other** ☐ _____	**Name of Building:**
# of Stories:	**AKA's:** 1-3 Dey St	

Building Owner/Management: **Telephone Number:** ( )
Name: David Balwin **FAX:** ( )
Address: 113 Cedar St N.Y.C 10006

On Site Contact:
Name: **Telephone Number:** ( )

Building Owner Management Activities

- **Interior Survey Performed** ☐ Yes ☐ No
- **Exterior Survey Performed** ☐ Yes ☐ No
- **General Clean Up** ☐ Yes ☐ No **Locations:** _____
- **ACM Clean Up** ☐ Yes ☐ No **Locations:** _____
- **Air Monitoring** ☐ Yes ☐ No **Locations:** _____

Copies of All Reports and Data Requested ☐ Yes

Visual Inspection Results:

Facade:

		Inspected	Debris		
North	☒ N/A	☒ Yes ☐ No	☐ No Visible/Fine Layer	☒ ½ to 1"	☐ > 1"
South	☐ N/A	☐ Yes ☐ No	☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"
East	☐ N/A	☐ Yes ☐ No	☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"
West	☐ N/A	☐ Yes ☐ No	☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"

Facade Description: _____

Roof

Debris: ☐ No Visible /Fine Layer ☒ ½ to 1" ☐ > 1"
Description: WTC materials still on the rear roof area

Setbacks N/A ☐

Floor: ____	Debris: ☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"
Floor: ____	Debris: ☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"
Floor: ____	Debris: ☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"
Floor: ____	Debris: ☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"
Floor: ____	Debris: ☐ No Visible/Fine Layer	☐ ½ to 1"	☐ > 1"

Comments

Date: 8/28/2002 ENTERED

Inspection Team: Name: AL **Agency:** _____
Name: _____ **Agency:** _____

Asbestos Inspection Report

Premise No. 189 BROADWAY					Inspection Date: 11-26-02	
Floor ROOF & FACADE	Zip 10048	Borough 1	Block	Lot	Squad # N/A	Badge # A020
Inspector Dennis Antzoulatos	Building Type COMMERCIAL		Basis of Inspection WTC Survey		Photos Taken Yes (No)	
Contractor's Name Benjamin Kurzban & Son Control			Sample Number N/A			
Address City 1248 Ralph Avenue, Brooklyn			Sample Number N/A			
State Zip Phone NY 11236 (718)531-2900			Sample Number N/A			
Laboratory Name Warren & Panzer Engineers Inc.			Owner's Name			
Address City 228 East 45 Street New York			Address City			
State Zip Phone NY 10017 (212) 922-0077			State Zip Phone			
Contact Person			Time of Inspection from: 0600 PM - 1200 MID			

TUESDAY NOVEMBER 26 2002

THE CLEAN UP OF THE ROOF AREA BENEATH THE A/C UNITS AND THE REMAINING PORTION OF THE NORTH FACADE WAS CONDUCTED. THE CLEAN UP OF THE EAST FACADE AND A PORTION OF THE NORTH FACADE HAD BEEN PERFORMED YESTERDAY. A PLASTIC DYKE WAS CONSTRUCTED TO COLLECT WATER RUN OFF. PLASTIC SHEETING WAS ALSO INSTALLED BEHIND THE METAL ROLL DOWN GATE OF THE "STYLZ" CLOTHING STORE. A GAP EXISTS BETWEEN THE FACADE SIGN AND THE ROLL DOWN GATE. AIR SAMPLING FOR THIS PORTION OF THE CLEAN UP PROJECT WAS PERFORMED BY JOHN BURGESS (CERTIFICATE # PII EXP 09/03) OF WARREN & PANZER ENGINEERS. AIR SAMPLING EQUIPMENT WAS SET UP ON THE STREET AND SIDEWALK JUST BEYOND THE PLASTIC DYKE. ALL FACADE SURFACES WERE THOROUGHLY HEPA-VACUUMED AND THEN POWER WASHED WITH A LOW PRESSURE SPRAY. AT THE CONCLUSION OF CLEAN UP ACTIVITIES, I CONDUCTED A VISUAL INSPECTION OF THE CLEANED FACADE SURFACES AND I OBSERVED NO VISIBLE WTC DEBRIS. THE CONTRACTOR WILL BE ONSITE EARLY IN THE MORNING TO REMOVE THE PLASTIC SHEETING INSTALLED BEHIND THE METAL ROLL DOWN GATE AND TO PERFORM ANY MINOR CLEANING OF STORE FRONT WINDOWS THAT MAY HAVE RESIDUAL DEBRIS FROM WATER SEEPAGE.

WEDNESDAY NOVEMBER 27 2002

THE PLASTIC SHEETING INSTALLED BEHIND THE METAL ROLL DOWN GATE OF THE "STYLZ" CLOTHING STORE IS REMOVED. MINOR RECLEANING OF THE INSIDE PORTION (BACK) OF THE GATE IS PERFORMED. THE CLEAN UP PROJECT AT THE PREMISE IS NOW COMPLETE.

E233WTC

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
Asbestos Control Program
59-17 Junction Boulevard, 8th Floor, Corona, NY 11368-5107

TRU1947MN02
FOR OFFICIAL USE ONLY

EMERGENCY

ONLY TYPEWRITTEN FORMS WILL BE ACCEPTED

ASBESTOS PROJECT NOTIFICATION
(ASBESTOS INSPECTION REPORT)

1. NYC DEP (See fee schedule)

When submitting this form at the NYC Department of Buildings, the original form and three (3) copies with original signatures are required. Submittal at the NYCDEP requires one copy of the form with original signatures. This form must be submitted to the NYC DEP not less than one week in advance of the start of abatement activities.

I. FACILITY

2. Address 189 BROADWAY Borough N.Y Zip 10007
AKA 1-3 DEY STREET 3. Block 63 4. Lot 13
5. Type of Facility _____ 6. Name of Building _____

II. BUILDING OWNER

7. Name DAVID BALDWIN 8. Contact Person _____
9. Tel. # _____ Fax # _____
10. Address 113 Cedar St City N.Y State N.Y Zip 10006

III. GENERAL CONTRACTOR

11. Name _____ Tel. # _____

IV. ASBESTOS ABATEMENT CONTRACTOR

12. Name FIBER CONTROL 13. Contact Person TONY COSTA
14. Federal Employer ID. # PII 15. Tel. # (516) 781-3000 Fax # (516) 781-3085
16. Address 3010 BURNS AVE City WANTAGH State N.Y Zip 11793

V. THIRD PARTY AIR MONITOR

17. Name WARREN & PANZER Engineers, PC 18. Contact Person MICHAEL NOLAN
19. Federal Employer ID. # _____ 20. Tel. # (212) 922-0077 Fax # (212) 922-0630
21. Address 228 E. 45th St City N.Y State NY Zip 10017
22. Sample Analysis Laboratory Scientific Laboratories Inc 23. NYS DOH ELAP # 11480

VI. PROJECT INFORMATION

24. Starting date for this portion of work 11/25/02 Projected completion date 11/30/02

Asbestos work schedule ☐ Monday ☐ Tuesday ☐ Wednesday ☐ Thursday ☐ Friday ☐ Saturday ☐ Sunday

Shift from: _____ ☐ am ☐ pm to _____ ☐ am ☐ pm

If other, specify _____

Access to inspect the premises must be provided during the work schedule indicated in this item.

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BUREAU OF ENVIRONMENTAL INVESTIGATION & ENFORCEMENT
ASBESTOS CONTROL PROGRAM
TRU 1

25. Total amount of asbestos-containing material to be abated during this work
7050 Square Feet, and/or _____ Linear Feet

BUREAU OF ENVIRONMENTAL INVESTIGATION & ENFORCEMENT ASBESTOS CONTROL PROGRAM TRU 1

ACP 2/200

ASBESTOS INSPECTION REPORT (continued)

26. Asbestos Hauler _____ NYS DEC Permit # _____ Tel.# _____

Disposal Site(s) _____

27. This asbestos abatement is part of a (Item a through e requires filing of this form with NYC Department of Buildings)

a) ☐ Demolition b) ☐ Boiler Replacement c) ☐ Sprinkler Replacement d) ☐ Renovation/Alteration

e) ☐ Fireproofing Replacement f) ☐ Other (Describe) _____

28. TYPE OF ABATEMENT (Check all appropriate boxes)

☐ Removal ☐ Enclosure ☐ Encapsulation ☐ Repair ☐ Clean up

29. ABATEMENT PROCEDURE (Check all appropriate boxes)

☐ Full Containment ☐ Glovebag ☐ Tent ☐ DEP Variance Application

30. **LOCATIONS OF ABATEMENT**

Floor(s)	DESCRIBE SECTION OF FLOOR (e.g. entire, east wing, room #, boiler room, lobby, etc)	AFFECTED SURFACES CONTAINING ACM (e.g. Pipe lagging, ceiling, plenum ducts, storage tanks, decking, etc.)	AMOUNT OF ACM SQUARE FEET	AMOUNT OF ACM LINEAR FEET	DESCRIPTION OF WORK BEING PERFORMED (e.g. running cable, installing fire sprinklers, removing and replacing boilers, etc.)
Roof	(Asphalt)		1800		
Facade	(Dey st		3675		
Facade	(Broadway)		1575		

31. I hereby declare that the information provided herein is true and complete to the best of my knowledge. I am familiar with Federal, State and NYC laws and regulations applicable to asbestos related work.

Print Name of Air Monitor	Print Name of Asbestos Contractor	Print Name of Applicant (If other than Owner)
D W ERRAS M	ANTHONY J COSTA	ANTHONY J COSTA
Signature	Signature	Signature
11-23-02	11-22-02	11-22-02
Date	Date	Date

32. I understand that as the owner of a building where asbestos abatement activity occurs, I am responsible for the performance of the asbestos abatement activities in accordance with the Asbestos Control Program Rules. I have contracted the third party air monitor who is completely independent of all parties involved in the asbestos project. I hereby declare that I have authorized the filing of this notification for the work specified herein.

ALPHONSO PLUMPTRE — Print Name of Owner

Signature

11/25/02 — Date

A STAMPED COPY OF THIS FORM INCLUDING AMENDMENTS MUST BE AVAILABLE AT THE WORK SITE.

Any modification of information provided on this form must be reported immediately in writing directly to the NYC DEP ACP.

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.

ACP 2/

ONLY TYPEWRITTEN FORMS WILL BE ACCEPTED

NYC DEPARTMENT OF ENVIRONMENTAL PROTECTION
Asbestos Control Program
59-17 Junction Boulevard, 8th Floor, Corona, NY 11368-5107

ASBESTOS PROJECT AMENDMENT FORM
FOR FORM ACP 7

FOR OFFICIAL USE ONLY
Fee (if any) $ _____
Amendment 2002A-2826
Information Only: ☐ Yes ☐ No

A modification is valid only if it is received by the NYCDEP prior to the previously filed date of completion, except for start date changes that must be received by the original start date.

ACP7 TRU/BN# 1947MN02 Facility Address 189 BROADWAY Borough N.Y Zip 10007

Date ACP7 was filed 11/25/02 Variance # (If any) _____

Was this ACP7 amended before? ☐ Yes ☒ No If yes, specify date _____

Original Start Date 11/25/02 Original Completion Date 11/28/02 from ACP 7, #24.

PLEASE ENTER THE INFORMATION THAT IS BEING CHANGED:

A notification may be modified no more than twice.
Only the building owner may amend items IV and V.
The original applicant or building owner may amend all other items.

IV. ASBESTOS ABATEMENT CONTRACTOR

12. Name FIBER CONTROL 13. Contact Person TONY COSTA
14. Federal Employer ID. # PII 15. Tel. # (516) 781-3000 Fax # (516) 781-3085
16. Address 3010 BURNS AVENUE City WANTAGH State N.Y Zip 11793

V. THIRD PARTY AIR MONITOR

17. Name WARREN ~ PANZER ENGINEERS, PC 18. Contact Person MICHAEL NOLAN
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21. Address 228 E. 45th St City N.Y State N.Y Zip 10017
22. Sample Analysis Laboratory SCIENTIFIC RABORATORIES INC 23. NYS DOH ELAP # 11480

VI. PROJECT INFORMATION

☐ Project Cancelled
☐ Project Postponed

24. Starting date for this portion of work 11/25/02 Projected completion date 11/28/02

Asbestos work schedule ☒ Monday ☒ Tuesday ☒ Wednesday ☒ Thursday ☐ Friday ☐ Saturday ☐ Sunday

Shift from: 6 ☐ am ☒ pm to 2 ☒ am ☐ pm If other, specify _____

25. Additional asbestos-containing material to be disturbed during this work Additional Facade 1,500 Square Feet, and/or — Linear Feet

Reduction in the amount of ACM to be disturbed during this work _____ Square Feet, and/or _____ Linear Feet

29. Abatement Procedure for Additional Material (Check all appropriate boxes)
☐ Full Containment ☐ Glovebag ☐ Tent ☐ DEP Variance Application

Other Changes _____

30. Locations of abatement modified by above STOREFRONT FACADE
(For each floor list ACM quantity and type)

31/32. Name of Applicant / Owner NYC DEP Tel. # (718) 595-3682

Name of Company (If any) _____ Fax # _____

Address _____ City _____ State _____ Zip _____

RECEIVED
DEC 05 2002
DEP/BANHM
ASBESTOS/LEAD
PROGRAM
TRUG
9

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

Signature of Applicant /Owner — Date 12/5/02

DEP BUREAU OF ENVIRONMENTAL REMEDIATION & ENFORCEMENT ASBESTOS CONTROL PROGRAM TRU 9

ACP 8
2/2001