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May 10, 2002

Mr. Walter Symanski
Cushman & Wakefield
 99 Church Street
 New York, New York 10005

RE: **Confirmatory Asbestos Bulk Sampling of debris from the Various Roofs**
 99 Church Street

Dear Mr. Symanski:

ATC Associates Inc. (ATC) has been retained by Cushman & Wakefield to perform bulk sampling and analysis at the above referenced project site. Confirmatory sampling, following ATC's detailed sampling conducted on February 19, 2002 as referenced in our April 8, 2002 correspondence, was conducted on May 8, 2002. ATC collected an additional three (3) samples in total from the 12th and 13th floor roofs and subjected them to the more definitive Transmission Electron Microscopy (TEM) method for determining asbestos in material as opposed to the optical Polarized Light Microscopy (PLM) method.

The extreme pressures and forces generated by the collapse of the World Trade Center buildings, forced the reduction of the asbestos to an extremely small fiber size. As a result, these fibers may go undetected under the standard optical PLM method. Under these circumstances, ATC's laboratory conducted additional bulk sample analysis via Transmission Electron Microscopy (TEM), which is a state-of-the-art methodology for a more definitive analysis whenever PLM results are negative or inconclusive. The results of this round of TEM analysis clearly shows that either less than one percent of asbestos, or no asbestos were detected in each of the analyzed samples. Therefore, the debris located on the roof levels of 99 Church Street is not asbestos containing and warrants no further action.

ATC's laboratory is accredited by the New York State Department of Health (ELAP No.10879) and the National Voluntary Laboratory Accreditation Program (NVLAP No. 101187).

Attached are the typewritten bulk sample results, including TEM results for this round of bulk testing. Should you have any questions or require additional information, please do not hesitate to call.

Sincerely,

ATC ASSOCIATES INC.

A handwritten signature in black ink, appearing to read 'B. M. Sallemi'.

Benjamin M. Sallemi
 Senior Project Manager

roofsampling4

**A Report of Bulk Sample Collection of
Settled Dust
Performed in
100 Church Street
New York, NY**

**Prepared for:
ZAR Realty
100 Church Street
New York, NY**

**Reported by:
Ambient Group, Inc.
55 West 39th Street
New York, NY 10018**

Project ID: 211334 & 211335

Date: September 28, 2001

Prepared by and Signed for Ambient Group by:

**Joseph Ciani,
NYCDEP Investigator (#77063, exp. 2/2/02)
Project Manager**

*Mark Stein 212-971-2111
Ext 177*

**ZAR REALTY
100 CHURCH STREET
NEW YORK, NY
SETTLED DUST BULK SAMPLING RESULTS**

September 28, 2001

FLOOR/ LEVEL	# OF BULKS	AREAS NEEDING ASBESTOS CLEANUP	SQUARE FEET OF AREA (SF)	REMARKS
Sub-Cellar	0	Area Not Accessible. No samples	NA	Level Flooded
Cellar	12	Engine room and all areas with dust	30,000	
1 ST	12	Dept of Labor (South West side) Lobby Area @ Front Entrance	4,000 2,000	
Mezzanine	1	South West Corner	4,000	
2 ND	24	NO WORK ON THIS FLOOR	NA	All samples negative
3 RD	19	NO WORK ON THIS FLOOR	NA	All samples negative
4 TH	19	NO WORK ON THIS FLOOR	NA	All samples negative
5 TH	19	NO WORK ON THIS FLOOR	NA	All samples negative
6 TH	19	North East Side	2,000	
7 TH	12	Entire Office Space of Floor MER-Fresh air Intake/Plenum	42,000 1,300	Including all filters
8 TH	18	East Side of Floor North East Corner	8,000 4,000	
9 TH	18	NO WORK ON THIS FLOOR	NA	All samples negative
10 TH	10	South West Corner	3,000	
11 TH	12	South West Corner	2,000	
12 TH	10	South West Corner	6,000	
14 TH	12	South East Side of Core Area	2,000	Fire Door w/ACM
15 TH	12	NO WORK ON THIS FLOOR	NA	All samples negative
16 TH	10	South Central Side of Core Area	1,000	Fire Door w/ACM
17 TH	11	NO WORK ON THIS FLOOR	NA	All samples negative
18 TH	11	NO WORK ON THIS FLOOR	NA	All samples negative
19 TH	17	South West Side	2,500	Two locations
20 TH	14	South West Side East Side	4,500 3,000	
21 ST - Penthouse MERs (East and West side)	8 19	Rest Room-North West Corner Abandoned Unit (DC-2)	250 100	Remaining areas of the East and West Fan Rooms-all samples negative
Roofs (20 th and above)	5	All exposed horizontal surfaces and all exterior ledges on façade. Also all roof entrances into building.	Roof Areas: 54,000 Facades: 230,000	Based on footprint of building and all facades.
TOTALS:	324		Interior: 121,650 Roof Areas: 54,000 Facades: 230,000	
GRAND TOTAL:			405,650	

NOTES:

1. Quantity of affected areas per area per floor to be cleaned is approximate. Final determination to be made in field with Engineer.
2. Air filters in all Air Handling equipment are to be removed and disposed as contaminated debris. Coordinate with Building Engineer for exact locations of units.
3. All other areas of respective floors, in which bulk samples tested negative for the presence of asbestos, cleanup can proceed as non-asbestos project.
4. On floors with non-ACM and ACM areas coordinate with Building Management. Recommend that all ACM cleanups be completed prior to general cleanup.

MINIMUM CONTRACTOR REQUIREMENTS

**MINIMUM CONTRACTOR REQUIREMENTS FOR THE
REMOVAL OF ASBESTOS-CONTAINING
DUST AND ASSOCIATED DEBRIS
FROM WITHIN SELECTED FLOORS/AREAS OF
100 CHURCH STREET
NEW YORK, NY 10013
AMBIENT GROUP INC., PROJECT #211334**

1.0 PROJECT SUMMARY

- 1.1 The Work includes cleanup and disposal of asbestos-containing material (ACM) and or contaminated dust from selected floors/levels located within 100 Church Street. The accumulation of dust was the result of the recent World Trade Center collapse. Dust and pulverized building construction debris has migrated into selected areas/floors of the building through penetrations/openings in the building's exterior facade. The cleanup work shall be performed in a phased approach on a floor-by-floor basis. After proper isolations barriers and decontamination units have been erected, multiple floors can be cleaned simultaneously. On floors where contaminated areas are separated by clean areas, work in respective areas cannot be started until unaffected areas and decontaminated areas have been isolated from the new work area. Cleanup work shall be accomplished using individuals certified by the New York City Department of Environmental Protection (NYC DEP) as asbestos handlers. All work shall be performed in accordance with Title 15, Chapter 1 of the Rules of the City of New York.
- 1.2 All affected horizontal surfaces including the suspended ceiling tile shall be treated as a contaminated surface. Prior to commencing any floor/area cleanup, review with the Environmental Consultant and/or a representative of the Owner for identification of the respective work area boundaries on each affected floor. Refer to attached floor plans for general boundaries of selected areas to be decontaminated.

The Work of this project shall be accomplished as follows. The tasks need not be performed in sequential order.

- 1.1 Confirm that the Building's Air Circulation System is not operating. All cleanup activities shall be performed prior to re-activation of the Building's Air Handling Equipment.
- 1.2 Construct a remote decontamination unit in a location, which can effectively be utilized for the required work within each respective floor. Thoroughly clean this area prior to the construction of the decontamination unit using wet wiping and/or HEPA vacuuming procedures.
- 1.3 As directed, clean interior surfaces of selected Building's Air Circulation System at each fresh air intake/plenum upstream of the filters. Remove all system air filters and dispose as contaminated material.
- 1.4 At each respective floor/area where cleanup is required, seal all penetrations, broken windows, breaches in building's façade, etc. with 6-mil poly and duct

MINIMUM CONTRACTOR REQUIREMENTS

tape. At each perimeter breach place at least three separate layers of poly so that one layer can be left in place after air clearance monitoring and until the breach can be repaired permanently.

- 1.5 On each respective floor, select a single location as means of access onto the floor. It will either through the freight elevator corridor or stairwell. Seal all other communicating openings, which lead onto the respective floor. These openings can include but not be limited to all passenger elevator doors, emergency stairwells, shafts, all HVAC supply and return diffusers, etc.
- 1.6 Isolate any unaffected (non-contaminated) areas from the areas to be work in. After cleanup is successfully completed in each respective area of a floor, isolate area so as avoid possible re-contamination of clean areas.
- 1.7 All contaminated areas on floors are to be cleaned and released prior to cleanup of any non-contaminated areas. Non-contaminated areas can be cleaned as a non-ACM activity.
- 1.8 Coordinate with Tenant Representative the decontamination of any employee personal property and tenant office fixtures.
- 1.3 Perform the work in strict compliance with applicable federal, state, and local regulations, codes, standards and guidelines regarding asbestos abatement except where more stringent requirements are set forth herein. Where conflicting requirements are set forth in the above, the more stringent requirements or guidelines shall apply. Require that all work be executed by skilled craftsman experienced in their respective trades.
- 1.4 The most recently dated issue or set of the following documents shall govern. If any of these documents are revised or updated prior to the final completion of the project, the revised or updated issue shall govern and all work affected by the revision or update shall be modified accordingly.
 - a) New York State Industrial Code, Rule 56 "Asbestos (12 NYCRR 56)
 - b) New York City Local Law 70 and Title 15, Chapter 1.
 - c) All other applicable NYS and NYC laws, codes, variances and ordinances.
 - d) USEPA regulations for asbestos abatement projects, Final Rule (CFR 40 Part 763)
 - e) USEPA regulations for Asbestos, CFR 40 Part 61, Subpart M, National Emission Standards for Hazardous Air Pollutants (NESHAPS)
 - f) U.S. Department of Labor, Occupational Safety and Health Administration (OSHA) Asbestos Regulations (CRF 29, Parts 1910 and 1926).
 - g) USEPA Office of Pesticides and Toxic Substance, "Guidance for Controlling Asbestos-Containing Materials in Building", EPA 560/5-85-024, June 1985.

Maintain one copy of each reference standard on site for the duration of the project.

- 1.5 The Work shall be sequenced as follows:

- a) Isolate the work area by establishing a restricted zone around the area. Protect, as necessary.
- b) Construct applicable remote decontamination system.
- c) Erect appropriate enclosure in the work area.