

CAPITAL

P R O P E R T I E S

DAVID A. PARISIER
MANAGING DIRECTOR

BY HAND

February 21, 2002

Mr. R. Radhakrishnan, PE
Director
Asbestos Control Program
Department of Environmental Protection
59-17 Junction Boulevard
Corona, NY 11368-5107

111/115

**RE: 111 Broadway, 2-10 Thames Street, 91-95 Trinity Place
& 115 Broadway, New York, NY**

Dear Mr. Radhakrishnan:

We are writing in response to your letters to us of February 12, 2002, which was received by our offices on February 14, 2002 requesting copies of the environmental hazard assessments and summary of the clean-up activities at the above referenced buildings.

Please find enclosed the following documentation in response to your request:

1. The Asbestos Air Quality Monitoring reports prepared by Consulting & Testing Services, Inc. for the above referenced properties.
2. A summary of the cleaning procedures utilized by Complete Environmental Services Incorporated as well as waste manifests for the materials removed by them during their cleanup.
3. The results of further air quality monitoring performed by AKRF, Inc. at the subject properties.

We request that DEP treat all the information disclosed herein as exempt from public review under the the Freedom of Information Law (FOIL) because such information falls within the exemption enumerated in Public Officers Law Section 87(2) (d) in that the information is, "submitted to an agency by a commercial enterprise ... which if disclosed would cause substantial injury to the competitive position of the subject enterprise.

Capital Properties Associates, L.P.

527 Madison Avenue, New York, NY 10022 • Phone: 212.980.0090 • Fax: 212.980.5669

CAPITAL

P R O P E R T I E S

Mr. R. Radhakrishnan, PE
February 21, 2002
Page 2 of 2

We and our consultants are available to answer any further questions that you may have regarding the enclosed.

Sincerely,



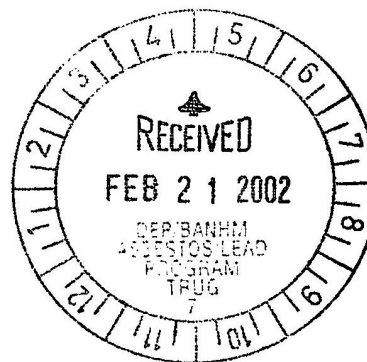
David A. Parisier

Encl.

RECIEVED BY:

Name: _____

Date: _____





COMCO
Complete Environmental Services Incorporated

- ASBESTOS ABATEMENT
- I FAD ABATEMENT
- INDOOR AIR QUALITY
- HVAC DUCT CLEANING
- REINSULATION
- FIREPROOFING
- HAZARDOUS WASTE MANAGEMENT

October 12, 2001

Mr. Anthony Lifrieri
Capital Properties
115 Broadway
New York, NY 10005

Re: Dust Control & Cleanup @ 115 Broadway, New York, NY

Dear Mr. Lifrieri,

At the request of Capital Properties, Complete Environmental Services, Inc. (COMCO) provided dust control and cleanup services at the above referenced site. These services, which were provided from September 16 through September 24, 2001, were conducted under the auspices of the environmental consultant, CTSI, Inc.

The cleanup was conducted in accordance with NYC-DEP Memo to Building Owners regarding the "Clean-up of Asbestos Containing Material", dated September 14, 2001. Fully certified asbestos handlers and supervisors equipped with personal protective equipment methodically cleaned both the tenant and common spaces of the facility. Remote decontamination units were utilized for decontamination of personnel and bagged waste. Particular care was taken to ensure the preservation of sensitive materials including files, paperwork and personal items present on desks, tables, etc. in the various spaces. During the cleanup, all items present on these surfaces were individually cleaned using HEPA filter equipped vacuum units and also, where applicable with wet wipe procedures. The items cleaned included but were not limited to the following.

- Computers
- Computer Monitors
- Computer Mouses and Keyboards
- Computer Printers
- Computer Disc Holders
- Desk Lamps
- Computer Speakers
- Radios/Tape Players
- Books/Organizers
- Desk Blotters
- Pen/Pencil Holders
- Adding Machines/Calculators
- In/Out Boxes
- Photographs
- Tape Dispensers

3500-A Hampton Road, Oceanside, New York 11572 • Tel. (516) 766-7900 • Fax (516) 766-7901 • Email comcoinc1@aol.com

Mr. Anthony Lifieri
Page 2

October 12, 2001

While the cleanup was underway, the facility was visited on several occasions by Inspectors from the NYC-DEP who observed the work underway and requested that copies of the air testing results be sent to the department upon completion.

Following the cleanup, all debris and waste removed from the facility was transported by a fully permitted waste hauler and disposed of in an approved landfill as per the attached manifests. Following the removal of waste from the facility, CTSI, Inc. conducted air monitoring on each floor to determine the airborne fiber levels. Upon PCM analysis of the collected samples, the fiber levels were determined at that time to be within the acceptable range for reoccupancy.

Please call if you have any questions regarding this cleanup.

Sincerely;



Brian J. Griffiths
Operations Manager

NYDEG 1A-371

NYDCA 483056

Asbestos Transportation Co., Inc.

P.O. BOX 1044
HAMPTON BAYS, N.Y. 11946

TOLL FREE
1-800-755-0ATC
"EMERGENCY NUMBER"

35

PHONE 631-924-5050
FAX 631-924-5085

Waste Manifest # 32831	Job # 201479	Floor or Location	Cust # 318
1. Work Site Name and Mailing Address 115 BROADWAY NEW YORK, NY.		Owner's Name, Address, Phone Number CAPITOL PROPERTIES 115 BROADWAY NEW YORK, NY.	
Contractor's Name, Address COMPLETE ENVIRONMENTAL SERVICES 3500-A HAMPTON RD. OCEANSIDE, NEW YORK 11572		Waste Disposal Site SOUTHERN ALLEGHENIES DISPOSAL SVCS. RD 3 BOX 310 VALLEYVIEW DRIVE HOLLSOPPLE, PA 15935	
Name and Address of Responsible NESHAPS Agency U.S. EPA REGION II, 290 BROADWAY, NEW YORK, NY 10007			
Description of Materials ☐ RQ Waste Asbestos, Class 9, NA2212, PGIII ☐ Other ☐ RQ Waste White Asbestos, Class 9, UN2590, PGIII		Bags - 240	Cubic Yds. - 12
Special Handling Instructions and Additional Information		Drums or Tons -	OTHER -
OPERATOR'S 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. <u>MICHAEL BLITZ</u> <u>S.A.</u> X <u>[Signature]</u> <u>9-26-01</u> Printed/Typed Name Title Signature Date (M/DD/YY)			
Transporter 1 (Acknowledgement of Receipt of Materials)			
Company Name and Address ASBESTOS TRANSPORTATION CO., INC. P.O. BOX 1044 HAMPTON BAYS, NY 11946		Signature: <u>[Signature]</u> Printed Name: JEFF PULP Title: DRIVER	Telephone No. 631-924-5050 Date 9/26/01
Transporter 2 (Acknowledgement of Receipt of Materials)			
Company Name and Address ASBESTOS TRANSPORTATION CO., INC. P.O. BOX 1044 HAMPTON BAYS, NY 11946		Signature: <u>[Signature]</u> Printed Name: [Signature] Title: DRIVER	Telephone No. 631-924-5050 Date 10/2/01
Discrepancy Indication Space:			
Waste Disposal Site Owner or Operator's Certification (Receipt of Above Waste Accepted)			
Company Name and Address SOUTHERN ALLEGHENIES DISP. SVCS 1 (814) 479-2483		Signature: <u>[Signature]</u> Printed Name: MICHAEL MACK Title: WM	Telephone No. [Signature] Date 10/2/01

NYDEC 1A-371

NYDCA 483056

Asbestos Transportation Co., Inc.

P.O. BOX 1044
HAMPTON BAYS, N.Y. 11946

TOLL FREE
1-800-755-0ATC
"EMERGENCY NUMBER"

PHONE 631-924-5050
FAX 631-924-5085

Waste Manifest # 32808	Job # 201479	Floor or Location	Cust # 318
1. Work Site Name and Mailing Address 115 BROADWAY NEW YORK, NY		Owner's Name, Address, Phone Number PROPERTIES 115 BROADWAY NEW YORK, NY	
Contractor's Name, Address COMPLETE ENVIRONMENTAL SERVICES 3500-A HAMPTON RD. OCEANSIDE, NEW YORK 11572		Waste Disposal Site SOUTHERN ALLEGHENIES DISPOSAL SVCS. RD 3 BOX 310 VALLEYVIEW DRIVE HOLLSOPPLE, PA 15935	
Name and Address of Responsible NESHAPS Agency U.S. EPA REGION II, 290 BROADWAY, NEW YORK, NY 10007			
Description of Materials ☒ RQ Waste Asbestos, Class 9, NA2212, PGIII ☐ Other _____ ☐ RQ Waste White Asbestos, Class 9, UN2590, PGIII		Bags -	Cubic Yds. - 25
Special Handling Instructions and Additional Information		Drums or Tons -	OTHER -
OPERATOR'S 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. <u><i>James J. Smith</i></u> <u><i>Sup.</i></u> X <u><i>James J. Smith</i></u> <u><i>9/27/01</i></u> Printed/Typed Name Title Signature Date (M/DD/YY)			
Transporter 1 (Acknowledgement of Receipt of Materials)			
Company Name and Address ASBESTOS TRANSPORTATION CO., INC. P.O. BOX 1044 HAMPTON BAYS, NY 11946		Signature: <u><i>Henry Marquez</i></u> Printed Name: <u><i>Henry Marquez</i></u> Title: <u>DRIVER</u>	Telephone No. 631-924-5050 Date 9/23/01
Transporter 2 (Acknowledgement of Receipt of Materials)			
Company Name and Address ASBESTOS TRANSPORTATION CO., INC. P.O. BOX 1044 HAMPTON BAYS, NY 11946		Signature: <u><i>[Signature]</i></u> Printed Name: <u><i>[Signature]</i></u> Title: <u>DRIVER</u>	Telephone No. 631-924-5050 Date 9/27/01
Discrepancy Indication Space:			
Waste Disposal Site Owner or Operator's Certification (Receipt of Above Waste Accepted)			
SOUTHERN ALLEGHENIES DISP. SVCS 1(814)479-2483		Signature: <u><i>Michael Mark</i></u> Printed Name: <u><i>Michael Mark</i></u> Title: <u><i>Wm</i></u>	Telephone No. Date 9/27/01

AKRF, Inc.

Environmental and Planning Consultants

116 East 27th Street ■ New York, NY 10016 ■ (646) 459-3500

FAX Number (212) 726-0942

February 21, 2002

Richard G. Leland, Esq.
Rosenman & Colin LLP
575 Madison Avenue
New York, New York 10022-2585

RE: Asbestos Air Monitoring
111-115 Broadway, New York, New York

Dear Mr. Leland:

AKRF, Inc. (AKRF) was retained by Rosenman & Colin LLP to perform Asbestos Air Monitoring within 111-115 Broadway in New York City. The project site consists of two (2) twenty-one story buildings; 115 Broadway is located north of 111 Broadway, and Thames Street runs between the two buildings. The buildings are approximately 98 years old and are mirror images of each other.

Air monitoring for asbestos fibers was performed by Steve Grens (New York State Department of Labor Sampling Technician and Project Monitor Certificate Number AH 97-14798) of AKRF between November 26 and 30, 2001. Samples were collected from seventeen locations throughout the buildings as shown on Table I. Samples were analyzed in accordance with USEPA AHERA protocol. Samples were collected by drawing air through a 0.45 μm pore Mixed Cellulose Ester filter utilizing a high volume sampling pump. The sampling pump was calibrated, utilizing a rotometer, with a representative sampler in line prior to and after each sample collection. Samples were analyzed by Transmission Electron Microscopy (TEM). The samples were delivered to, and analyzed by, AMA Analytical Services, Inc. (AMA) of Lanham, Maryland. AMA is a certified ELAP, AIHA, and National Voluntary Laboratory Accreditation Program (NVLAP) laboratory. Blank samples were collected for QA/QC purposes.

Analytical results revealed airborne levels of asbestos below the United State Environmental Protection Agency (USEPA) and New York State Department of Labor (NYSDOL) established clearance criteria for successful completion of an asbestos remediation procedure of 70 asbestos structures per square millimeter (s/mm^2). All of the asbestos samples were also below the AHERA re-occupancy level of 70 s/mm^2 . Table I contains a summary of the laboratory results for asbestos. A complete copy of the laboratory analysis report is included in Appendix A.

If you have any questions, please call me at (646) 459-3520 or Colleen Griffiths at (914) 949-7336.

Sincerely,
AKRF, Inc.

Michelle Lapin, P.E.
President

cc: N. Feldscher
D. Parisier

Table I
Asbestos Laboratory Results
111-115 Broadway, New York, New York

Sample Number	Location (Building-Floor)	Concentration (s/mm²)
ACM1	111-19	<15
ACM2	115-17	<15
ACM3	111-11	<15
ACM4	111-17	<15
ACM5	115-3	<15
ACM6	115-13	15
ACM7	Blank	N/A
ACM8	Blank	N/A
ACM9	115-15	<15
ACM10	115-13	<15
ACM11	111-15	<15
ACM12	111-3	<15
ACM13	111-20	<15
ACM14	115-11	15
ACM15	115-5	<15
ACM16	115-6	<15
ACM17	115-7	<15
ACM18	111-19	<15
ACM19	115-9	<15
ACM20	Blank	N/A
ACM21	Blank	N/A

Notes: N/A = Blank sample not analyzed.

Sample were collected by AKRF personnel on November 26 through November 30, 2001.

Samples were analyzed by AMA Analytical Services (ELAP #10920) on December 6, 2001.

111-19 = 111 Broadway – 19th Floor



November 23, 2001

Mr. Kevin Hoey
Property Manager
CAPITAL PROPERTIES
111 Broadway
New York, NY 10006

**RE: ENVIRONMENTAL SAMPLING SERVICES PERFORMED AT
115 BROADWAY, ENTIRE BUILDING, NEW YORK, NY**

Dear Mr. Hoey:

On November 21st, 2001, **Consulting and Testing Services, Inc. (CTSI)** has performed air quality sampling from various floors from the above referenced building.

Air samples were collected as part of building air quality/dust control evaluation from the lobby, Trinity level and all floors. All samples collected were transported to an independent certified laboratory, **EMSL Analytical**, for analysis. Samples were analyzed utilizing Phase Contrast Microscopy (PCM) Methodology (Fiber Analysis of Air Samples via NIOSH 7400, Revision 3, Issue 2, 8/15/94).

Based on the attached certificate of analysis, the air quality samples collected on November 21st, 2001, indicate fiber counts are within the **Occupational Safety & Health Administration (OSHA)** Permissible Exposure Limit (PEL) of 0.1 f/cc (fibers per cubic centimeter). Total of twenty five (25) air quality samples were collected.

Please feel free to call us with any questions or if you need further information.

Sincerely,

CONSULTING AND TESTING SERVICES, INC.

Frank Salami
President

CC: David Parisier

Attch.

2001\Report\Asbestos\WTC\111-115 Broadway\115Bway-clearance\tr/11-21



October 8, 2001

Mr. Kevin Hoey
Property Manager
CAPITAL PROPERTIES
111 Broadway
New York, NY 10006

**RE: ENVIRONMENTAL SAMPLING SERVICES PERFORMED AT
111 BROADWAY, ENTIRE BUILDING, NEW YORK, NY**

Dear Mr. Hoey:

On October 4th and 5th, 2001, **Consulting and Testing Services, Inc. (CTSI)** performed air quality sampling from various floors from the above referenced building.

Air samples were collected as part of building air quality/dust control evaluation from the following floors:

- October 4th: 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 20th and 21st.
- October 5th: Basement, Trinity Level, Lobby, 2nd, 3rd, 4th, 5th and 19th.

All samples collected were transported to an independent certified laboratory, **EMSL Analytical**, for analysis. Samples were analyzed utilizing Phase Contrast Microscopy (PCM) Methodology (Fiber Analysis of Air Samples via NIOSH 7400, Revision 3, Issue 2, 8/15/94).

Based on the attached certificate of analysis, the air quality samples collected from October 4th and October 5th, 2001, indicate fiber counts are within the **Occupational Safety & Health Administration (OSHA)** Permissible Exposure Limit (PEL) of 0.1 f/cc (fibers per cubic centimeter). Total of twenty-five (25) air quality samples were collected.

Please feel free to call us with any questions or if you need further information.

Sincerely,

CONSULTING AND TESTING SERVICES, INC.

Frank Salami
President

Attach.

I:\2001\Report\Asbestos\WTC\111-115 Broadway\111Bway-clearance 110-4 and 10-5