

Gilsenan, Michael

From: Gilsenan, Michael (ex)
Sent: Monday, July 08, 2002 2:34 PM
To: Schiano, Frank
Cc: Avaltroni, Robert; Hoffer, Mark; Pecunies, Russ; Radhakrishnan, Krish
Subject: Unoccupied/uncleaned buildings

As part of the downtown clean-up effort, one of DEP's responsibilities is developing an asbestos scope of work, contracting it out and direct oversight of buildings that are still unoccupied and uncleaned. (EPA will comment on the asbestos scope of work and will develop a scope for other contaminants of concern for inclusion.) Bob Avaltroni has spoken to Brad Gair and FEMA will fund, however, FEMA needs one of the following two options to be undertaken by us to continue on the path to completion.

- Option 1. Declare that the building is a potential health risk requiring a clean-up under the program.
- Option 2. Obtain a right of entry agreement from the building owner and its occupants to clean.

Currently, there are three (3) buildings which fall into this category: 125 Cedar Street, 114 Liberty Street and 30 West Broadway. 125 Cedar Street and 114 Liberty Street are privately owned and have either a tenant/building owner or co-op/building owner relationship. Both owners and occupants are anxious to start the clean-up process. I'm sure you are familiar with the history of 125 Cedar Street. In the case of 30 West Broadway, the State Dormitory Authority owns the building and they too are anxious to get underway.

Our concern with Option 1 is the potential obstacles that the wording might pose thus taking much longer to get underway. Drafting a right of entry agreement seems the more timely option to take.

Please discuss with Mark and get back to us as soon as you can.

FYI: (1) EPA/DEP have regular meetings with the tenants and their local elected officials and (2) DEP will have a consultant walking through 125 Cedar Street this Thursday/Friday and 114 Liberty on Monday/Tuesday (next week) to develop asbestos and HVAC scopes of work.

Thanks,

Mike