

Near Trade Center, Stark Disparities Emerge in Cleanups

Lax Government Leadership
Leaves Some Residences
With Asbestos Concerns

Companies Spend to Refurbish

By MOTOKO RICH
And SUSAN WARREN

NEW YORK—In the eight months that Steve Stewart and his 4,000 colleagues at American Express Co. were exiled from their offices after Sept. 11, a lot was going on in the company's headquarters across the street from the World Trade Center site. Cleaners vacuumed thick layers of dust and debris that had blown into the 51-story tower through shattered windows. Specialists tested for 120 contaminants, including asbestos, lead and mercury. Mr. Stewart returned in June to a pristine office, with a new chair, computer and gray-and-blue carpeting. American Express, the 32-year-old manager says, "did what it needed to do to alleviate people's fears."

A few blocks away, Sudhir Jain had a different experience. The freelance technology consultant moved back to his apartment five blocks south of Ground Zero only two weeks after Sept. 11. His living room was still covered by gray dust. The owner of the 208-unit residential building denied tenants' requests to hire a cleaning contractor, Mr. Jain says, so he hired his own. Confused about what sort of testing would be appropriate, he didn't do any. "We have been left to fend for ourselves to protect our own health and safety," says Mr. Jain, 40.

Nearly a year after the Sept. 11 terrorist attacks destroyed the Twin Towers and unleashed a massive cloud of debris on lower Manhattan, the continuing cleanup presents a stark case of haves and have-nots. The biggest corporate tenants and landlords have conducted pricey cleanups, costing millions of dollars each. But until recently, government agencies at all levels failed to mount a centralized campaign of scrubbing and testing indoor spaces. As a result, many residential buildings, schools and small businesses have received only spotty attention.

Even without firm government guidance, many large companies and landlords "were quick to spend a lot of money, upgrade filtration systems and bring in experts," says Hugh Kaufman, a policy analyst at the Environmental Protection Agency's headquarters in Washington. But lacking official coordination—including from his own agency—many smaller landlords cut corners, Mr. Kaufman adds. "I give the private sector tremendous kudos. I give the public sector an F-minus."



Steve Stewart



Sudhir Jain

Mr. Jain's landlord at 50 Battery Place, the DeMatteis Organization, says through a spokesman that it told tenants to hire their own cleaners and submit bills for possible reimbursement by the owner's insurance company. Only a handful—Mr. Jain isn't among them—have submitted such bills, the spokesman says. Those claims are still being sorted out.

Public-health experts say that, so far, they haven't identified any long-term serious health risks from the disaster. But that view assumes effective outdoor and indoor cleanups of asbestos and other toxins. And while health studies continue, the experts stress they don't know yet. Please Turn to Page A11, Column 1

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whether the combination of substances produced by the unprecedented calamity will cause illnesses in the future. "We just don't know, but if you don't get [buildings] cleaned, obviously there will be a higher probability" of long-term risk, says Paul J. Lioy, associate director of the Environmental and Occupational Health Sciences Institute, which is supported by the University of Medicine and Dentistry of New Jersey and Rutgers University. He is working on a study of residents near Ground Zero.

Free-for-All

The main blame for the helter-skelter indoor cleanup of downtown Manhattan—a triangular area at the island's southern end where 200,000 people live and work—can be traced to the shuffling of responsibility among government agencies. In the days after Sept. 11, the Federal Emergency Management Agency assigned the EPA to monitor outdoor air, clear debris and dust and handle hazardous waste removed from the disaster site. New York City assumed control over indoor areas, including apartments. But the city's Department of Environmental Protection delegated to landlords and residents the job of actually cleaning up and testing. What followed was a free-for-all.

City officials distributed sketchy guidelines but did little to enforce them. The recommendations included, for example, wiping down surfaces with a wet rag but didn't specify how to tell if potential hazards had been eliminated.

EPA officials in New York say they didn't take the initiative indoors because neither FEMA nor New York City asked it to. Bonnie Bellow, an EPA spokeswoman in New York, says the regional office had its hands full for months focusing on the outdoor cleanup. "As the outdoor conditions began to improve, and it became clear that there was confusion and concern about any residual dust that might remain in people's homes, we proceeded with the development of a plan for cleaning up dust indoors," Ms. Bellow says.

For its part, FEMA says it deferred to the EPA. "We were waiting for them to tell us there was a problem with indoor air quality," says Brad Gair, the senior FEMA official on the scene. Geoffrey Ryan, a spokesperson with the city's DEP, says his agency "worked cooperatively from day one with EPA." The city advised landlords they had to clean buildings according to a "strict protocol," Mr. Ryan says. "If there was a problem, we reviewed it."

Beginning last fall, the EPA came under escalating pressure from residents and local politicians who argued that as the country's premier environmental agency, it ought to oversee all cleaning. In May, eight months after Sept. 11, the EPA finally responded by offering to remove any asbestos from 30,000 residences in lower Manhattan. That work will begin in September.

But to get a cleanup, tenants or owners must ask the EPA to come in. That means while one apartment may be cleaned, the nearby elevator shaft or unit next door may not, creating the possibility of recontamination. The agency will clean hallways and lobbies only if asked by a landlord. The EPA isn't offering to clean small businesses or schools.

So far, residents in 3,160 apartments—a little more than 10% of those eligible—have asked for EPA help. Mr. Jain is one of those, but he worries his building won't get a thorough overall treatment. "We should be getting a proper asbestos cleanup like the corporate tenants are getting," he says.

In addition to American Express, companies such as Merrill Lynch & Co., Bank of New York Co., Royal Bank of Canada and Dow Jones & Co., publisher of this newspaper, say they have cleaned and tested extensively. The potentially dangerous substance of greatest concern is asbestos, a fibrous material used in fire

retardant in the Trade Center that can cause lung disease and cancer if there is exposure for a period of years. Others include pulverized cement and glass, which can cause respiratory problems, and lead and mercury from incinerated computers and lighting, which can cause nervous-system damage.

To eliminate asbestos, big companies have stripped out carpets, cubicle walls, ceiling tiles and upholstered furniture. American Express says it threw out enough furniture and floor covering to fill a football field piled five feet high. RBC Capital Markets, a unit of Royal Bank of Canada, which occupies five floors of a black tower on the eastern edge of the Trade Center site, says it even vacuumed hundreds of thousands of individual pieces of paper.

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Wall Street Journal employees began returning to the Dow Jones offices adjacent to the Trade Center site in late July. Tom Lauricella, a Journal reporter and

owns the tower housing RBC Capital Markets, says it installed filter systems to block more than 95% of particles measuring one micron or larger. The same was done at many other large commercial buildings in the vicinity. Before Sept. 11, the standard for corporate offices was between 60% and 85%.

By contrast, at Stuyvesant High School, four blocks north of Ground Zero, the New York City Department of Education upgraded classroom filters to block fewer than 40% of such tiny particles. Students had moved back into the large, academically elite public school in October, two months before the filters were improved and while trucks were still ferrying dusty debris to barges in the Hudson River just 50 yards away.

"So here were these capitalists protecting their employees, and we have vulnerable young kids who received less protection at school. I find that outrageous," says Mariena Christodoulou, until re-

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cently the president of the Stuyvesant Parents Association and the mother of an 18-year-old son who graduated in June.

Judith Moore, current co-president of the parents group, whose daughter is starting her senior year next month, says anxiety over the school's air quality has been heightened by the lack of a centralized cleanup. But Ms. Moore, a psychotherapist, adds that in these uncertain times, parents want "a guarantee of safety for our children in this world"—something no cleanup can satisfy.

Bernard Orlan, director of environmental health and safety for the city's Department of Education, says that repeated air tests in Stuyvesant classrooms have shown that the new 40% filters are meeting all government health standards for schools. Stronger filters would have been an inefficient use of public money, Mr. Orlan says. The Education Department says it has spent \$1.7 million since Sept. 11 on cleaning and testing at the 10-story Stuyvesant building.

Insurance and legal disputes have snagged some residential cleanups. At Southbridge Towers, a group of nine cooperatively owned apartment buildings several blocks east of Ground Zero, the board of directors filed an insurance claim early this year of \$635,700 for a planned cleanup of building exteriors and common areas, such as hallways. In June, Greater New York Insurance Cos. provided \$371,510, saying that would be sufficient. The cooperative's directors, who all live in the complex, decided to fight, filing a complaint with the New York State Department of Insurance. In the meantime, the cleaning hasn't even started. The co-op directors fear that to do so would imply that they had accepted the lower insurance payment as adequate. The directors also say they are confused about whether a government agency might be willing to do a portion of the cleaning.

Some Southbridge owners have had more success with their individual units. Gregory and Bonnie Cooper, who own a two-bedroom, 11th-floor apartment, received \$5,000 from their home insurer, a unit of Chubb Corp., to hire a professional cleaner. When tests in April found asbestos on their previously cleaned terrace at levels higher than normal—although still below EPA guidelines—the Coopers persuaded the insurance company to pay another \$4,000 for a second cleaning. But Ms. Cooper remains nervous. "Even if I have my terrace cleaned, my next door neighbor hasn't, so I haven't been using my terrace at all," she says. They have requested a third scrubbing from the EPA.

Random Tests

The agency announced this month that in addition to cleanups-on-request, it would also randomly test 250 apartments for lead, mercury and dioxin, even though its scientists believe the amounts of those toxins emitted by the disaster weren't enough to threaten public health. The EPA says it will also test apartments that have already been cleaned.

Jane Kenny, the agency's regional administrator, says these steps are sufficient, in light of the lack of evidence, so far, of long-term health dangers. "We want to respect the rights of the individuals and allow them to decide whether or not to ask for the cleaning or testing," Ms. Kenny says. If the agency suspects that a building is significantly contaminated, it will urge the owner to request a more thorough cleanup, she adds.

But some residents aren't satisfied. Wendy Tabb, a 38-year-old jeweler who rents an apartment at 105 Duane Street that once looked out on the Twin Towers from seven blocks to the north, says she and her husband did only normal dusting and vacuuming in the weeks after Sept. 11. She says they were lulled by reassuring statements from EPA Administrator Christie Todd Whitman and then-Mayor Rudolph Giuliani that the neighborhood's air was safe.

Soon, however, the Tabbs say they began getting skin rashes and bloody noses. George Tabb, a 40-year-old freelance writer and musician, says he had trouble sleeping because his asthma was badly exacerbated.

In October, their landlord, the large real-estate firm Related Cos., hired a consultant to test for toxins in the hallways and lobby and in apartments of tenants who requested it. Related told residents the tests didn't show any dangerous contamination by asbestos or other substances. Some residents say they aren't worrying. "People have worse problems than this," says Vas Kallas, a rock-band guitarist whose apartment faces away from Ground Zero.

But with their symptoms continuing, the Tabbs in November decamped with their Yorkshire terrier, Scooter, to Mr. Tabb's stepfather's apartment in Greenwich Village, 20 blocks farther north. The next month, they and other tenants hired an industrial hygienist, who collected dust samples in a hallway duct on the 10th floor. One sample showed 550,000 asbestos fibers per square centimeter, a level the expert described as above normal for an urban environment, though lower than the amount that legally requires a specialized asbestos abatement.

Related hired a contractor in December to clean the ventilation system and ducts in apartments. But when residents complained that the contractor wasn't a licensed asbestos-abatement specialist, work inside the apartments stopped and was never completed.

Jeff Brodsky, president of Related Management Co., an affiliate of the landlord, says, "I wish I could get the residents to let us finish the work we wanted to complete." The cleanup wasn't legally required or necessary for health reasons, he says. "There was no evidence of any dust [from the Trade Center] in the building," he adds. Instead, Related hired the contractor "to put people at ease."

WSJ.com **JournalLink:** See an interactive gallery of the key players in the power struggle to rebuild at the World Trade Center site, in the Online Journal at WSJ.com/JournalLinks.

The New York Times

8.14.02

Downtown Workers^v

To the Editor:

Re "U.S. to Test for Contaminants in 250 Downtown Apartments" (news article, Aug. 7):

The Environmental Protection Agency's decision to address contamination resulting from the World Trade Center's collapse only in certain residential apartments is unacceptable. It continues the policy of leaving thousands of the area's office workers exposed and at risk.

Recently, the Sierra Club, at its own expense, had our office space, located six blocks east of the World Trade Center site, tested for mercury contamination. The tests concluded that our office does have residual contamination, and noted that the terrace adjacent to our windows still contains World Trade Center dust.

There is no rationale to protect one segment of an exposed population and leave another to fend for itself.

NORMA RAMOS

New York, Aug. 7, 2002

The writer, an environmental lawyer, is New York City senior regional representative, Sierra Club.

Toxic Pork At Ground Zero



**STEVEN
MILLOY**

SEN. Hillary Clinton is pressuring President Bush to allocate \$90 million for a long-term health monitoring program for Ground Zero rescue and recovery workers.

Last week, Health and Human Services Secretary Tommy G. Thompson announced an \$11.4 million contract with the Mount Sinai School of Medicine to determine whether Ground Zero workers are experiencing related illnesses or injuries.

What a waste of taxpayer money.

The collapse of the World Trade Center towers certainly was a unique event in many respects — but not in terms of the health of rescue and recovery workers.

The Centers for Disease Control and Prevention reported in May that worker exposures to air contaminants at Ground Zero generally did not exceed safety standards.

That study evaluated “general area” and “personal

breathing zone” air samples for numerous potential air contaminants, including: asbestos (from insulation and fireproofing materials), crystalline silica (from concrete), carbon monoxide (from fires and engine exhaust), diesel exhaust, mercury (from fluorescent lights), Freon, heavy metals, hydrogen sulfide (from decomposing bodies and food), inorganic acids, volatile organic compounds (VOCs) and polycyclic aromatic hydrocarbons (PAHs, from fires and engine exhaust).

More than 1,000 air samples were collected from Sept. 18 to Oct. 4 and focused on search-and-rescue personnel, heavy equipment operators, workers cutting metal beams and other recovery workers.

The CDC reported that virtually none of the sampled exposures, including exposure to asbestos, exceeded permissible limits set by the Occupational Safety and Health Administration — limits far more stringent than actual “safe” levels.

Of the 45 air samples analyzed for various metals, one from a personal breathing zone of a torch cutter exceeded the permissible exposure limit for cadmium. One worker was definitely overexposed, and two

others were potentially overexposed to carbon monoxide.

While the study doesn’t include data about exposures before Sept. 18, this is hardly a reason to spend \$11.4 million. The WTC, after all, is not the first fire or building collapse involving rescue workers.

Firefighters are frequently exposed to a variety of “toxic” dusts and chemical fumes. But the largest-ever study of firefighters, published in May 2001 by National Cancer Institute researchers, indicates that firefighters do not have more cancer or worse health than non-firefighters.

The only possible justification for the contract would be if it somehow short-circuited personal injury lawyers intent on suing New York City.

Hundreds of firefighters, police and other rescue workers filed notice in February that they may sue New York City for \$7.18 billion for failing to provide adequate respiratory protection equipment at Ground Zero. The notices allege fear of cancer and other ailments caused by the smoldering ruins.

One firefighter filed notice of a \$10 million claim because he gets winded running up flights

of stairs. “What if, five years down the road, we develop lung cancer or something like that?” he told The Associated Press.

Most firefighters probably wouldn’t think of suing the city but for encouragement from lawyers angling for a percentage of whatever sums can be milked from a jury via the FDNY’s reputation.

One law firm that filed several hundred notices on behalf of rescue workers specializes in shaking down both the city and insurance companies in the name of firefighters, and brags about its multimillion-dollar success on its Web site.

But there’s good reason to be skeptical that Mount Sinai will be an effective tool against the lawyers. Mount Sinai’s Irving J. Selikoff Center for Occupa-

tional and Environmental Medicine will be the center leading the examinations.

Irving Selikoff, now deceased, and his fear-mongering minions at Mount Sinai were the researchers who opened the floodgates of the junk science-fueled multibillion-dollar asbestos litigation now clogging our courts and slowing payments to deserving workers.

This pork will enable researchers-on-the-dole to tally and ponder every cough and headache. It only will make the non-issue of Ground Zero worker health a topic for years to come.

Steven Milloy is an adjunct scholar at the Cato Institute and the author of “Junk Science Judo: Self-defense Against Health Scares and Scams” (Cato Institute, 2001).

Ground Zero

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THE CITY OF NEW YORK
Department of Environmental Protection

FOR IMMEDIATE RELEASE

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Exterior Building Cleanup Moves Ahead In Lower Manhattan

Commissioner Christopher O. Ward of the New York City Department of Environmental Protection (DEP) announced today that the Exterior Building Cleanup Program in Lower Manhattan has met with considerable early success. Begun on June 7th, with significant support from the Federal Emergency Management Agency (FEMA), this effort has shown mostly minimal presence of asbestos and other contaminants from World Trade Center debris on the roofs and exteriors of buildings in the downtown area.

The Exterior Building Cleanup Program is part of a federal, state and local government effort to reassure the public that air quality in lower Manhattan is, and will continue to be, safe for residents, workers and visitors. Commissioner Ward said, "By instituting progressive initiatives such as the Exterior Building Cleanup Program, we are working to promote public confidence and help foster the resurgence of Lower Manhattan as a residential and business community. Throughout the clean-up process, we have been able to proceed with the unwavering support of the Federal Emergency Management Agency."

The Exterior Building Cleanup Program is entirely funded by a \$10.1 million grant from the Federal Emergency Management Agency, through the FEMA/State of New York Public Assistance Program. President Bush authorized FEMA to pay the full cost of the clean-up program following the declaration of disaster in Lower Manhattan after September 11th. FEMA is also funding the EPA's interior cleanup of residential apartments in Lower Manhattan.

"Our aim is a safe and secure environment in lower Manhattan for the millions of residents, workers and visitors who spend time there," said FEMA Director Joe M. Allbaugh. "Supporting the city's efforts to reduce and eliminate any possible harmful effects caused by the continued presence of this material is FEMA's goal."

Under the Exterior Building Cleanup Program, building owners whose properties have been identified as having World Trade Center debris are eligible to have the debris removed by licensed asbestos contractors at no cost. To date, more than 1,000 buildings in the downtown area have been inspected by DEP specialists. Three quarters of the buildings inspected have shown no evidence of debris. Of those upon which debris has been identified, 81 buildings have been cleaned to date, and an additional 56 buildings are either in the process of being cleaned or have been scheduled for future cleanup. Apart from the DEP-FEMA program, 60 buildings have been cleaned independently by building owners. A small number of buildings south of Canal Street remain to be scheduled for cleanup.

People interested in more information about the Exterior Building Clean-up Program may contact DEP at (718) DEP-HELP. This program is separate from the indoors residential clean-up program administered by the U.S. Environmental Protection Agency (EPA). For information on the indoor program, interested parties may call the EPA's hotline at 1-877-796-5471.