

Islanders take spring cleaning outdoors to spruce up parks

■ Tappen Park and Kingfisher Pond both get attention

By JILL GARDINER
ADVANCE STAFF WRITER

Staten Islanders took their spring cleaning outdoors yesterday to spruce up two parks just in time for summer enjoyment.

Assemblyman John Lavelle (D-North Shore) was joined by 15 helpers to kick off a series of upcoming cleanups at Tappen Park in Stapleton. The group hauled away more than a dozen bags filled with glass liquor bottles, aluminum beer cans and miscellaneous trash.

Lavelle said the event, which lasted about three hours, would help improve the quality of life in the neighborhood and help foster safe recreational environments for residents and their families.

"These parks are being used by adults and children," Lavelle said yesterday. "We want them to be safe and we want the community to have a hand in maintaining them."

A few miles away at Kingfisher Pond in Great Kills a team of about 30 residents spent their afternoon doing the same thing. Armed with shovels, rakes and trash bags, they cleared away broken glass, tangled fishing lines, cigarette butts, crushed cans and soggy paper litter.

Denise Olsen and Isabel Yard, both from Great Kills, organized the event and posted flyers in the neighborhood to promote it. Several local delis and vendors donated sandwiches, bagels and beverages to keep the group energized.

"We have a lovely park here and we want to maintain it and keep it clean," said Mrs. Yard, who also enlisted her 6-year-old quadruplets — two boys and two girls — to help.

Mrs. Olsen, who brought her three children, said the park was littered with liquor bottles and beer cans.

"We want to teach our children now to respect their surroundings, she said. "To me it's a matter of taking pride in the community and taking ownership of the pond."

She has already contacted somebody from the city Parks and Recreation Department to clean old tires and furniture out of the pond, which the area residents cannot handle on their own.

Lavelle said he'd like to see the department get more funding and that cleanups need to be a cooperative effort.

"The Parks Department is doing everything they can with the [limited] resources they have," said Lavelle. "But it's nice to see the community get involved."

Lavelle's office is organizing similar cleanups throughout the summer at a handful of other North Shore parks including Westerleigh Park, Mariners Marsh, Walker Park and Tompkinsville Park.

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Nearby buildings pose questions following cleanup of Ground Zero

■ Planners face a host of issues as they work to revive downtown

By KAREN MATTHEWS
ASSOCIATED PRESS

The last steel girder has been trucked out of ground zero but the nine nearby office buildings that remain vacant — some shrouded in netting to protect bystanders from falling glass — attest to the horror of Sept. 11.

The owners of several buildings, including the 40-story Deutsche Bank tower and a landmark skyscraper designed by Cass Gilbert, are still negotiating with insurers. The Deutsche Bank tower, across from the World Trade Center site, is so infested with mold that its future is in question.

Although some of the buildings will be reoccupied, the prospect that large office towers will be unsalvageable raises a host of questions for planners as they work to revive downtown.

Louis Tomson, president of the Lower Manhattan Development Corp., said his agency may play a role in redeveloping some of the properties. The agency, which is charged with redeveloping downtown, could consider condemnation if buildings were deemed beyond repair.

M. Myers Mermel, chief executive of TenantWise.com, an online commercial real-estate firm, estimates that 16.3 million square feet of office space that was damaged in the terrorist attack has been re-opened — but another 3.5 million square feet remains unoccupied.

Merrill Lynch and American Express have returned to their headquarters in the World Financial Center. More recently, the Bank of New York has started moving 5,000 employees back into its 22-story building at 101 Barclay St.

But other buildings are far from being reoccupied and could be torn down.

Mark Lingnau, a spokesman for Deutsche Bank, would not discuss published reports that the Liberty Street building, also known as 1 Bankers Trust Plaza, could be razed due to mold infestation. But several people who are familiar with the building confirmed that its interior surfaces are covered with mold caused by moisture from fire sprinklers.

"We're still in the process of conducting our evaluation of 130 Liberty St., both structurally and environmentally," Lingnau said. The building, once worth \$170 million, is covered with black netting and a giant American flag.

"It's just a constant reminder," of the terrorist attack, said Ilyse Fink, a spokeswoman for the city Buildings Department whose office windows face the shrouded bank tower.

Near the southwest corner of the trade center site is 90 West St., a 1907 skyscraper designed by Gilbert, the architect who also designed Manhattan's well-known Woolworth Building.

The 25-story West Street building was pierced by flying debris from the twin towers but is struc-

turally sound, said Joel Weinstein, president of the engineering firm LZA Associates, which was hired by the owners to evaluate it.

Weinstein said it would cost \$60 million to \$80 million to repair the once graceful office building.

Tom Mathes, vice president of building owner FGP 90 West St. LLC, said only, "We're evaluating all of our alternatives. We're still in discussions with our insurer."

Because 90 West St. was declared a city landmark in 1998, it could not be torn down without permission from the Landmarks Preservation Commission.

Commission Chairwoman Sherida Paulsen said that if the owners are not able to secure financing to repair 90 West St. they could sell it to someone who would convert it to another use.

Housing is a possibility. "Even though the building is landmarked it could be converted to residential use or a hotel, or the commercial space could be reconfigured," Paulsen said.

Said Tomson: "One of the functions of our agency is to take a look at what the potential is and to facilitate a process where decisions are made. ... If it became essential to have a large residential development we might do that."

Other buildings will be not reoccupied for many months. At the Verizon building at 140 West St., the switching station is working but the offices won't be in use until the fall of 2003.

"There are still holes in the side of the building," spokesman John Bonomo said.

The U.S. Postal Service hopes to open its 15-story building at 90 Church St. this fall. "The building had a lot of water damage from sprinklers and firefighters' hoses," spokeswoman Diane Todd said.

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New.....

and its traces are found in the water supplies of many communities. But in preliminary reviews published this year, E.P.A. scientists suggest that in most parts of the country people are not exposed to dangerous levels. That finding makes an outright ban unlikely.

Still, the agency's top pesticide official, Stephen L. Johnson, said the research on frogs raised new issues, and added, "Given these conflicting results, we have to work through it."

The agency's critics say its scientific methods are fundamentally flawed and violate two federal laws — the Food Quality Protection Act and the Safe Drinking Water Act — that set strict standards and deadlines for reviewing the safety of hundreds of pesticides and other widely used chemicals.

Peter Lehner, chief of the environmental bureau in the New York State attorney general's office, said the state would file comments this month criticizing the agency's preliminary risk assessment and expressing concerns that the agency is not doing enough to protect the public from exposure. Public comments on the preliminary assessment are due by July 5.

"Legally, our concern is a pattern of E.P.A. disregarding the science and the legal mandates of the federal statutes," said Mr. Lehner, adding that traces of the weedkiller had been found in 40 percent of the state's water supplies, 50 percent of those in Suffolk County and 75 percent of those in farming areas of the Hudson River valley.

Critics of atrazine cite scientific evidence that infants and children may be especially vulnerable to developmental problems or to cancer if they or their nursing mothers are exposed even to relatively small amounts for a short time, as when spring rains wash the chemicals from newly tilled fields.

Syngenta replies that the data on atrazine offer "reasonable certainty," as the law requires, that infants and children would suffer "no harm" from exposure to it. "The data clearly show that developing organisms are less sensitive than adults are to atrazine," Mr. Pastoor said.

The agency's health scientists, though, rejected that argument. Rather, while finding that in general most drinking water supplies appear safe, they identified dozens of towns, mostly in the Midwest, where infant exposures appeared likely to have exceeded their safety threshold. The towns were identified because in one year or another, seasonal rains had washed high levels of the chemical into streams, lakes and reservoirs used to supply drinking water.

The agency's deliberations are especially complex because they are based on experiments with laboratory animals that imperfectly model the way chemicals like atrazine affect humans. Syngenta has been highly critical of the agency's use of the animal studies.

In the latest research to cause a stir, Tyrone B. Hayes, a scientist who had previously conducted research for the company that makes atrazine but who now works independently, has found that male frogs developed serious abnormalities after being exposed in his laboratory to levels of

Contrasting views on research linking a common pesticide to cancer.

the pesticide much lower than the E.P.A. considers safe in drinking water. Significant numbers of the frogs developed both male and female reproductive organs, a finding that he suggested might help explain declines in amphibian species around the world. His work was published in April in the Proceedings of the National Academy of Sciences.

Although several field studies have found associations between exposure to atrazine and similar pesticides and elevated incidence of several kinds of cancer, that kind of study alone does not prove cause and effect. The claims by workers that the chemical gave them cancer are also hard to prove. Syngenta argues that the evidence of cancer among its workers was detected simply because the company provides complete screening for its work force.

Its studies on the workers' cancers were made public only recently, as a result of the litigation and of pressure on the E.P.A. by the Natural Resources Defense Council, which learned of the studies from lawyers for the workers.

Syngenta found that in the last several years 17 employees and contract workers, mostly at its plant in St. Gabriel, La., had developed prostate cancer. The workers' lawyers and the environmental group say that is much higher than should be expected, regardless of the screenings of workers.

An internal E.P.A. review agreed with the company that screening "likely accounts for most, if not all, of the observed increase." But the E.P.A.'s scientists and two outside experts who examined the issue for the agency all found severe short-

comings in the company's studies, especially the lack of data provided on the exposure of workers to atrazine. This is among the data that the environmental group is demanding to have released.

While it collected and analyzed the evidence of prostate cancers in its work force, the company argued for the E.P.A. to remove atrazine from its list of chemicals that probably cause cancer. The E.P.A. took that step in December 2000, and now lists atrazine as not likely to be a carcinogen. If it were found to cause cancer, that would lead to much tougher controls on its use, possibly even its removal from the market.

In making its decision, the E.P.A. found that while one strain of female laboratory rats got ovarian and mammary cancer after exposure to atrazine, the biological mechanism was not applicable to humans. In the rats, atrazine disrupted the hypothalamus, a part of the brain, and the pituitary gland, a regulatory organ at the base of the brain that excretes hormones. The hormonal disruption put the rats' reproductive cycles in overdrive, causing their reproductive organs to age prematurely.

But the E.P.A.'s scientists did not discount the likelihood that any chemical that disrupts the hypothalamus, pituitary and gonads in one animal species would also cause problems in other species, whether frogs or people.

One study of rats, for example, demonstrated that atrazine disrupted a mother rat's production of prolactin, a hormone involved in nursing, and that a suckling newborn male rat's development could, in turn, be affected, leading to prostatitis, a noncancerous inflammation of the prostate gland. Another showed that exposing young rats to the chemical could delay the onset of puberty. Taken together, many such studies raise the possibility that the chemical could be harmful to infants and children, even though no single study has demonstrated that outright.

While Syngenta has submitted evidence discounting one by one many of the studies considered by the E.P.A., the agency's critics say that approach misses the point. With so many studies raising a variety of concerns, they say, the agency should consider them in their totality and take the weedkiller off the market.

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Asbestos Makers, Litigants: Uneasy Allies

Partial Alliance Prioritizes Seriously Ill Victims, Eases Firms' Financial Burden

By GREG HITT

Washington

WARS HAVE MADE allies of old enemies before, but big business and trial lawyers? Even the two sides are still stupefied at their new alliance in a long-running conflict over asbestos claims.

"Look up 'strange bedfellows' in the dictionary, and you'll find our picture," says San Diego-based attorney Steve Kazan, who spent much of last week striding the halls of Congress with insurance lobbyists. "It makes me catch my breath and wonder if I've got this right."

To be sure, not all trial lawyers bless this union. But a group representing critically ill victims of asbestos exposure have broken with the broad plaintiffs lawyers lobby here, allying instead with the very manufacturers and insurance interests that they have historically battled to win big victims' awards. They have come together as the potential compensation for victims dwindles along with the number of companies associated with asbestos production and use.

The Asbestos Alliance, composed of the breakaway lawyers, the American Insurance Association and the National Association of Manufacturers, is asking Congress for a law that would give priority to the claims of the most seriously ill. They contend that cash-strapped corporations then could better manage their asbestos liabilities, ensuring a steady stream of payments to the most needy.

The lobbying campaign is an extension of battles in local courts across the country, where victims increasingly are pitted against one another. The insulation fiber was banned as a carcinogen more than two decades ago, but claims continue to mount. Asbestos-related sicknesses can take as long as 40 years to

develop after exposure, so that only now are many people learning they are victims. Meantime, the long lag time also has spawned claims from relatively healthy individuals who fear local statutes of limitations will run out if they don't file now.

Tens of billions of dollars have gone out to victims, and the prospect of continued payouts is taking a toll in American industry. During the past two years, the hangover of asbestos-liability costs has forced dozens of companies, among them USG Corp. and W.R. Grace & Co., to seek bankruptcy-court protection.

Rep. Christopher Cannon (R., Utah) has proposed legislation to allow companies in bankruptcy court to pay claims based on medical need. The Asbestos Alliance seeks something broader. It proposes to establish medical criteria for claims against all companies with asbestos liability, not just those in bankruptcy. The group also would ease statutes of limitations and other court rules that have given people not yet ill an incentive to file claims.

The coalition's effort differs from past legislative initiatives, which mostly have involved corporations seeking to limit lawsuits and get what are seen as bailouts. The coalition's initiative would help both companies and victims, if only those who are very ill.

The mutual interests of the trial lawyers and businesses aside, their coalition also reflects political reality going into the 2002 midterm election: Regardless of who wins in November, control of Congress probably will continue to be closely divided between the two parties. Any interest group knows it needs friends in both.

Politically, of course, trial lawyers such as Mr. Kazan mostly support Democrats with their votes and wallets, while the business community generally favors Republicans. "We probably know that on

any other given day that we don't have much to agree on," says AIA lobbyist Leigh Ann Pusey, once a top aide to former GOP Speaker Newt Gingrich. "This is an unholy alliance in many respects."

The stance of the attorneys in the coalition has set off a civil war within the plaintiffs bar, pitting them against other trial lawyers involved in asbestos litigation, and more broadly against their brethren in the powerful American Trial Lawyers Association. The association vows to oppose the initiative, arguing it would arbitrarily curtail the rights of those who have been exposed but are not yet sick.

Former ATLA President Fred Baron, who represents such asbestos victims, says the backers of the legislation want to eliminate 80% to 90% of pending claims. "I don't see that there's any chance for this legislation to pass," he says.

But no one in the coalition pretends passage is the goal this year. Getting sponsors in the House and Senate, and perhaps a committee hearing, would be a major accomplishment in the slow legislative process. The real aim, for now, is to lay the groundwork for major action in the next Congress that convenes next January. "If I thought it was a colossal waste of time," Mr. Kazan says, "I'd be back in my office preparing cases to go to trial."

Last week, coalition representatives networked together at a dinner that the New Democrat Network, a centrist group, sponsored. Many of their visits to Capitol Hill were to moderates who can bridge partisan differences in Congress; among the stops were the offices of Democratic Reps. Adam Smith of Washington and Jim Moran of Virginia.

Mr. Moran is interested in the initiative. Mr. Smith remains reticent, reflecting the broader concerns among lawmakers

about embracing a legislative solution to the asbestos problem. "Adam is not the kind of person who jumps in both guns blazing," a spokeswoman says.

"It's a long slow process," Mr. Kazan says. "It's an issue of building consensus, to change the status quo."

The coalition began forming early in 2001, soon after the companies—recognizing the split among asbestos victims—began reaching out to attorneys representing the most seriously ill. They saw that there were "grounds for an alliance," says Mike Baroody, a top NAM lobbyist.

The discussions eventually led to a pledge from the business groups to set aside their broader agenda to change tort law, to limit lawsuits, when it comes to asbestos suits. The trade-off leaves business in support of compensation—for the most sympathetic victims. For the trial lawyers, the agreement ultimately puts their clients at the front of any line for payments.

At bottom, for both sides it reflected a recognition that if the current spiral of lawsuits and bankruptcies continues, "there would be no defendants left in a short period of time" to sue, says Matthew Bergman, a Seattle victims attorney.

Despite the overlapping interests, efforts to bring the coalition together haven't always been comfortable. At one planning meeting at the AIA in Washington, D.C., Peter Kraus, a Dallas attorney for asbestos victims, slipped into a chair next to an old courtroom nemesis, John Aldock, a lawyer who has long represented asbestos firms. "I looked at him and said I can't believe we're sitting next to one another," Mr. Kraus recalls.

Mr. Aldock replied, "Well, maybe for once we can both agree that we're on the right side."

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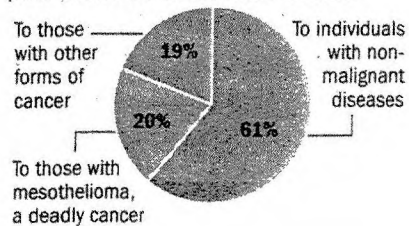
Asbestos.....

Asbestos Facts

With lawsuits spiraling from asbestos exposure, businesses and some victims' attorneys are seeking a new law to steer compensation first to those most seriously ill.

Dividing Up the Money

Estimated allocation of compensation paid out so far to asbestos victims:



Health Threat Lingers

- An estimated 27 million people nationwide were exposed from 1940 to 1979.
- Injuries include deadly cancer, and can take up to 40 years to develop.
- More than 500,000 claimants have filed suit, in most cases against multiple companies.
- An average claim now cites more than 60 firms.

Source: Rand Institute for Civil Justice

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Ruling paves way for proposed nuke waste site

■ **Connecticut commission rules that intended site of a nuclear waste storage facility has no archaeological value**

ASSOCIATED PRESS

HADDAM, Conn. — The intended site of a nuclear waste storage facility that has raised the ire of activists has no archaeological value, according to the Connecticut Historical Commission.

An amateur historian and an eighth-generation descendant of 18th-century slave Venture Smith sued to halt construction of the facility on a property they say is the site — or is near the location — of Smith's ancestral home.

They said it would defile the 100-acre family farm.

The commission says the site contains some prehistoric and his-

toric archaeological artifacts, but it lacks scientific integrity and represents isolated finds that fail to provide substantive information about the area.

"We expect that the proposed undertaking will have no effect upon the state's archaeological heritage," John Shannahan, director and state Historic Preservation Officer, wrote to Connecticut Yankee.

The letter, which was released by the company, reaches the same conclusion as an archaeological review paid for by Connecticut Yankee.

Smith eventually bought his freedom and became a wealthy entrepreneur around the time of the American Revolution.

Amateur historian Douglas Jones of Essex has testified that several foundations for houses have been found in the 500-acre Connecticut Yankee property. Historical records, including a narrative Smith dictated in 1798, indicate he owned as many as five houses in the area.

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Feds say air was OK

Find Ground Zero asbestos-free by 9/18

By **FERNANDA SANTOS** and **GREG GITTRICH**
DAILY NEWS STAFF WRITERS

The air at Ground Zero was free of hazardous levels of toxic contaminants, such as asbestos, just a week after the twin towers collapsed, U.S. health officials said yesterday.

The study by the Centers for Disease Control and Prevention found that none of the 1,174 air samples taken by city and federal officials between Sept. 18 and Oct. 4 showed asbestos levels exceeding federal safety levels.

But the officials cautioned that the samples — taken mostly by clipping filters to recovery workers' collars — were not taken in the first seven days after the attack, when the huge cloud of debris was settling.

"The piece of data we don't have is what was the exposure to these folks who got caught in the dust cloud," said Ken Wallingford, a CDC researcher. "That would've been a massive skin and inhalation exposure."

The CDC also tested for a wide variety of toxins, including heavy metals, acids and volatile chemicals.

The findings were greeted with skepticism and anger by some independent health offi-

cials, whose tests have found dangerous levels of toxins in the air around Ground Zero.

"There is still asbestos down there now," said Don Carson, a hazardous materials expert for the International Union of Operating Engineers. "Making statements like they did . . . [is] not responsible."

Worker illness growing

Monona Rossol, an industrial hygienist who monitored asbestos levels for parents of kids at schools near Ground Zero, also scoffed at the study.

"The fact is that workers are getting sick in [large] numbers, and no one has any idea of what's wrong with them," Rossol said.

Inhaling asbestos can cause chronic lung disease and cancer. The fiber was used as fireproofing in at least 37 floors of the twin towers.

According to the CDC study, the only workers exposed to a health risk at the disaster site were those who inhaled dangerous levels of carbon monoxide in fumes emitted by gasoline-powered saws and torches used to cut through the debris.

Yesterday, Police Commissioner Raymond Kelly said that about 800 cops who spent significant time at Ground Zero will be required to undergo medical and psychological examinations. The Fire Department and Port Authority have instituted similar programs.

With Richard Weir

Feds to foot \$11.7M bill for school WTC cleanup

By ALISON GENDAR and GREG GITTRICH
DAILY NEWS STAFF WRITERS

The Board of Education won't be stuck with a nearly \$12 million bill to clean potentially hazardous World Trade Center dust from downtown schools, officials said yesterday.

The Federal Emergency Management Agency told school officials yesterday that it would reimburse \$11.7 million spent in cleanup and environmental testing since Sept. 11. The agency said it would eventually also cover \$5 million spent to clean schools in buildings leased by the Board of Ed.

Brad Gair, federal recovery officer for the World Trade Center disaster, told city and school officials the news in an hour-long conference call yesterday.

Gair told the Daily News in April that most of the cleanup costs would be covered, but the agency has been blasted for appearing to drag its feet and being insensitive to city schoolchildren.

The board is still pushing for \$103 million to make up for lost instruction time since Sept. 11, an expense FEMA has said it is not authorized to cover, and \$40 million for mental health services for still-traumatized students.

"We made real progress today in getting this decision from FEMA, but the remaining costs to the system still need to be met for the sake of New York's school kids," said Rep. Carolyn Maloney (D-Manhattan), a FEMA critic.

The feds also announced that those living near Ground Zero who are fearful of

potentially asbestos-laden dust in their homes can call a toll-free number to order a free cleanup.

The Environmental Protection Agency agreed last month to create the unprecedented home-cleaning program after it was besieged by complaints from people living near Ground Zero who were scared to breathe the air in their homes.

The feds will pay to clean the apartments of tenants and homeowners south of Canal St., where most of the potentially dangerous dust from the twin towers collapse settled.

The cleaning can be requested by calling (877) 796-5471 or going to www.epa.gov/wtc.

The hotline will be staffed to take cleaning and testing requests 10 a.m. to 8 p.m., Monday through Friday, and 10 a.m. to 5 p.m. on weekends.

Money for vacuums

People who want to handle the cleaning themselves can get as much as \$300 from FEMA to buy a high-powered vacuum with special HEPA filters.

Professional cleaning costs about \$1.50 per square foot, and the tab can quadruple if asbestos is detected.

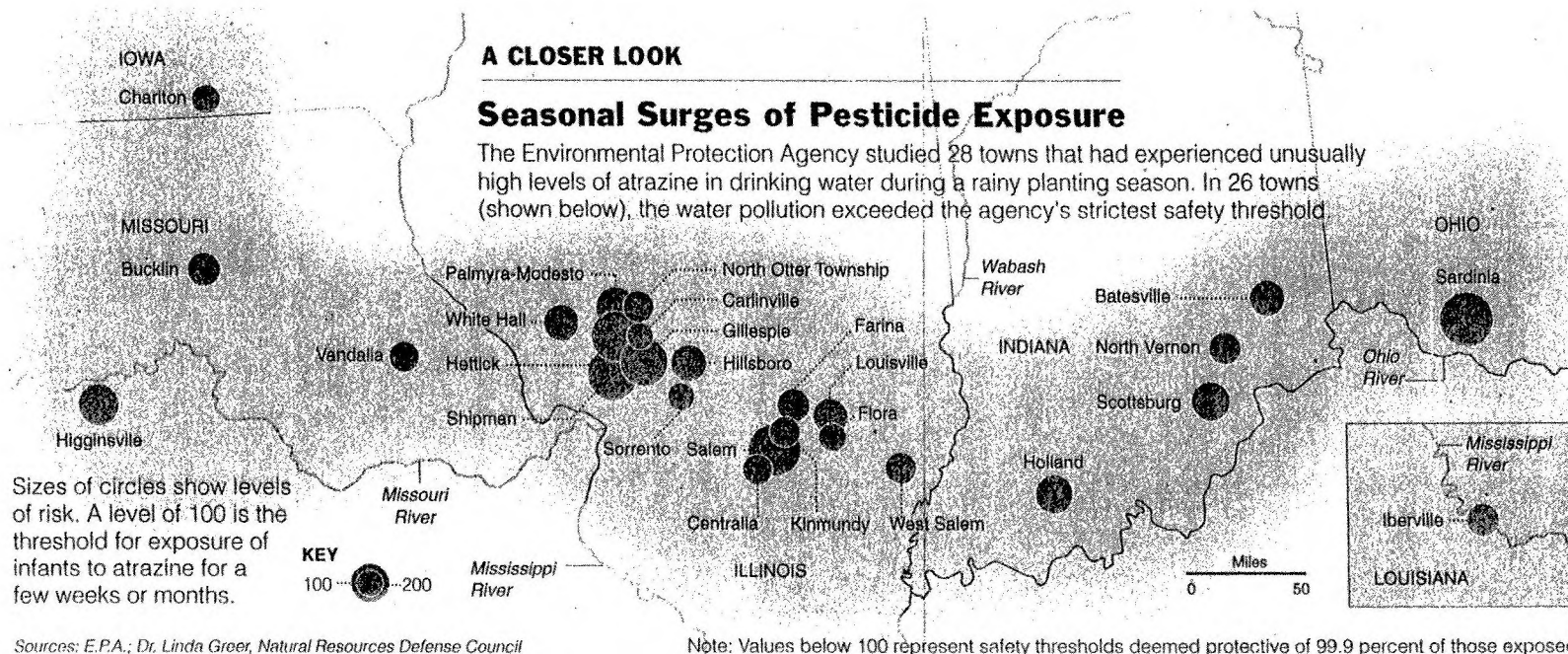
Those who register for the fed-managed cleanup can track their requests and learn the results of testing and cleanup on the Web or through the hotline.

The cleaning is expected to begin in July.

Critics of the program insist cleanup should be mandatory and entire buildings — not individual apartments — should be scrubbed.

Daily News
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New Study Adds to Debate on E.P.A. Rules for Pesticide



By JOHN H. CUSHMAN Jr.

WASHINGTON, June 1 — The Environmental Protection Agency is embroiled in several fierce legal and scientific debates as it struggles to write new rules governing the use of atrazine, one of the nation's most widely used pesticides.

The chemical, used to banish weeds from cornfields in the Midwest and residential lawns in the Southeast, and for many other purposes, has been linked in studies to cancer in humans and to deformities in frogs that caused them to grow both testes and ovaries. It is banned in some European countries.

Now, the environmental agency acknowledges that the newly published research on frogs may force it to seek an extension of a court-ordered August deadline for issuing the rules.

Atrazine's major manufacturer, Syngenta AG of Switzerland, now

says it will offer studies of its own to refute the frog research, and it continues to challenge many of the agency's findings as being too cautious. But environmental groups are making just the opposite claim: that the

Fierce scientific and legal arguments tangle the process of defining guidelines.

agency is not being cautious enough.

Complicating matters further, a lawsuit against the company brought by factory workers who say they got prostate cancer after being exposed to the chemical has provided new ammunition for critics challenging the agency's decision two years ago

to remove atrazine from its list of substances that probably cause cancer in humans.

One such group, the Natural Resources Defense Council, says it will file a petition with the E.P.A. and the Justice Department on Monday asking that the chemical be banned and that the company be investigated for not promptly disclosing the workplace cancers, as required by law.

"I think that the E.P.A. has missed the boat on the cancer assessment completely, because they did not have available important information about its links to cancer," said Jennifer Sass, a senior scientist at the council, an advocacy group that specializes in litigation to enforce environmental laws.

Ms. Sass said that if the agency had recognized those links, "there would be no safe levels" for atrazine's use.

Syngenta, which is the largest agribusiness company in the world, dis-

misses that argument. Tim Pastoor, who is in charge of global risk assessment for the company, said, "The notion that anyone would want to ban atrazine is silly." Mr. Pastoor said that scientific evidence proved atrazine to be safe as currently used, and that the E.P.A., in its current reviews, was being far too conservative in its scientific approach. He said the reason so many workers at the company's factory were found to have prostate cancer was simply that the company intensively screens its workers for the disease.

The United States uses about 60 million pounds of atrazine a year,

NY Times
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Daily News
June 2, 2002

Boro's really for the birds

By WARREN WOODBERRY Jr.
DAILY NEWS STAFF WRITER

If New Yorkers had to name an official bird for the city, some would probably choose the pigeon.

But why should they settle for those gray-feathered statue-sitters when they can select from hundreds of bird species at Jamaica Bay Wildlife Refuge?

"If you think you're going to see more birds in the Adirondacks, you're wrong — they're all here in New York City," said Don Riepe, refuge manager.

Many locals who ride along Cross Bay Blvd. have no idea that the 9,000-acre refuge, between Howard Beach and Broad Channel, exists.

With 40% of the bird species in North America represented by those nesting and feeding in Queens, the refuge is one of the most important bird sanctu-

aries in the world.

More than 300 species of birds, including the spotted sandpiper and the peregrine falcon, have been seen there.

Under the roar of passing jets from Kennedy Airport, bird watchers can watch exotic birds in a natural habitat and listen to the soothing melodies of songbirds.

Popular destination

Part of Gateway National Recreation Area, the refuge is a popular site with bird watchers internationally and, more importantly, a major stopping point for birds that travel the migratory flyway along the East Coast.

"We have a lot of wildlife —

not only birds but reptiles, amphibians and mammals," said David Avrin, assistant superintendent for Gateway.

Park officials took Rep. Anthony Weiner (D-Brooklyn/Queens) on a bird-watching tour Friday. Weiner and park officials are working to raise awareness — and money — to help protect the refuge from urban encroachment.

"I think people should see this the way they see Redwood National Park or Yellowstone National Park," said Weiner, who wore a Panama Jack hat and a pair of khakis as he observed birds through binoculars.

"There are a lot of corners of the park we're trying to provide additional funding for."

Plans are in the works to protect the Jamaica Bay marshes, which are mysteriously vanish-

ing. Weiner said the marshes are key for bird nesting and breeding.

To generate greater interest in the Gateway park, bathhouses at Riis Park and hangars at Floyd Bennett Field will be renovated to attract more visitors, Weiner said.

Mildred Penzer, 81, a member of the Queens County Bird Club, said she tries to visit the refuge at least once a week to escape the pressures of the city.

"This is a quiet place for me to walk and become refreshed," Penzer said. "This is one of the prime areas of the world. It's important that we maintain it for passive recreation."

The city established the wildlife refuge in the early 1950s. The National Park Service became its overseer in 1972.

Ailing at Ground Zero

Neighbors suffer from medical, emotional problems

By JOANNE WASSERMAN
DAILY NEWS CITY HALL BUREAU

Depression. Insomnia. Eye infections, coughing and sore throats.

People who live near Ground Zero have suffered from a variety of medical problems since the World Trade Center disaster, according to a city Health Department study released yesterday.

Nearly 40% of the people interviewed for the report showed symptoms of posttraumatic stress disorder: emotional numbness, sleep loss, depression, anxiety, feelings of intense guilt, irritability and outbursts of intense anger.

About half experienced physical ailments — eye infections, shortness of breath, coughing or other respiratory problems — because of exposure to smoke and dust caused by the Trade Center fires.

Few getting counseling

The study found that of those suffering from stress disorders, less than a third have received therapy.

"There are likely to be thousands of people living in lower Manhattan who could benefit from counseling," the report said.

The physical problems were expected to be short-term, but there were concerns about long-term effects for the elderly.

The study was done in late October. Workers from the Health Department and the federal Cen-

ters for Disease Control and Prevention went door to door, visiting the apartments of more than 400 people living in three downtown areas: Battery Park City, Southbridge Towers and Independence Plaza.

Participation was voluntary and anonymous.

Community leaders said the survey confirmed what has become a fact of life for those living near Ground Zero.

"People are very vulnerable around here," said Madelyn Wils, chairwoman of Community Board 1. "We all saw what happened and lived through it."

"The aftermath of seeing your neighborhood turned into a war zone is really very stressful," she said. "People are nervous and high-strung."

Wils said that while people were no longer complaining about respiratory problems, "physically vulnerable" people, such as the elderly, are experiencing longer-term illnesses — such as asthma or sinus infections.

More outreach needed

Wils and other officials representing the area said the report backed arguments that not enough has been done to provide people with health, counseling and cleanup services.

The study found that 59% of those interviewed received information on how to properly clean their apartments of dust and debris. Some people said they needed financial help with cleanup efforts.

Another 40% said they had cleaned according to federal guidelines.

Rep. Jerrold Nadler (D-Manhattan) said, long-term health concerns should be addressed by federal officials paying for apartment cleanup.

"There ought to be a program in which every residence and business is inspected and cleaned. That is not happening," he said.

Newly elected City Councilman Alan Gerson also said there had not been an effective cleanup or counseling program downtown. "We need as a city to do a more thorough outreach," he said. "I already spoke to Mayor Bloomberg last week about the need to think hard to be comprehensive."

DAILY NEWS • Saturday, January 12, 2002

Ground Zero

Migrant cleanup hires ripped

By PAUL H.B. SHAY
DAILY NEWS STAFF WRITER

City, state and federal officials condemned yesterday the treatment of undocumented immigrants being hired to clean up potentially hazardous dust near Ground Zero without adequate protection.

Elected officials and advocates for immigrants urged a crackdown on the practice after the Daily News reported cleaning companies had exposed up to 600 day laborers to a potentially toxic stew of debris.

Sen. Charles Schumer (D-N.Y.), who so far has helped funnel \$11 billion in federal aid to the city for emergency relief after the Sept. 11 terror attacks, said he was outraged that workers — mostly Spanish-speaking immigrants — were being exploited. President Bush is expected to approve an additional \$9 billion in aid.

"This isn't the kind of thing that we fought so hard to get the money for," Schumer spokesman Bradley Tusk said. "There's plenty of money to do things right. And all of the money in there was appropriated with the full expectation that every law would be complied with ... and every worker would be safe and protected."

Assembly Speaker Sheldon Silver (D-Manhattan) also denounced the practice.

His spokesman Charles Carrier said that regardless of whether an immigrant is working legally, "if they have been exposed to this and people have failed to properly protect and train those individuals, [Silver] feels the law should be enforced."

Mayor Bloomberg also vowed to crack down on violators. His

spokeswoman Jennifer Salk said, "We are going to be working with [Attorney General Eliot Spitzer] and any other state agency looking into this matter in order to address this issue."

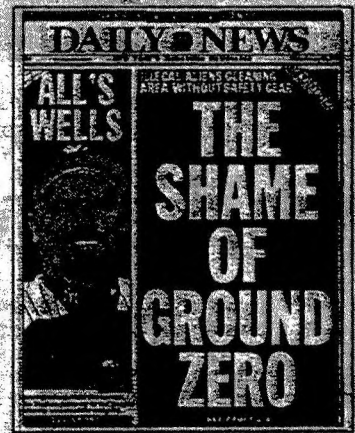
Many workers share the symptoms of Jose Pardo, 59, a Colombian immigrant who started cleaning office buildings near Ground Zero on Sept. 16.

"I have breathing problems — a dry cough that won't let up," said Pardo, whose condition got so bad he spent three days in intensive care at Mount Sinai Medical Center in late November.

Advocates for day laborers also said many workers were stiffed of their wages because unscrupulous employers knew they are unlikely to seek legal recourse.

Spitzer is looking into complaints of wage violations.

Jennifer Baum, a lawyer with



How the Daily News reported the story yesterday.

the Legal Aid Society, said, "You find a greater proportion of health and safety violations where you find undocumented workers." With Albor Ruiz

Daily News
Jan. 12, 2002

Ground Zero

Battle over EPA denials of dangers downtown

By RUSS BUETTNER
DAILY NEWS STAFF WRITER

Environmental Protection Agency brass found themselves sharply at odds yesterday with the agency's proposed investigation into charges that the EPA concealed evidence of dangerous contamination at the World Trade Center disaster site.

At issue were assurances from EPA chief Christie Whitman and other agency officials that environmental conditions at the site were safe — even as agency tests showed dangerous warning signs.

"The evidence I have seen demonstrates that there is and was a substantial health risk that EPA had documented in its testing," said Hugh Kaufman, the chief investigator for the EPA ombudsman's office, which ordered the investigation.

"There's enough evidence to demonstrate that Mrs. Whitman's statement to the brave rescue workers and the people who live there was false," Kaufman said.

An EPA spokeswoman shot back that Whitman never said the area was without risk. "That's a mischaracterization of what was ever said," said agency spokeswoman Bonnie Bellow.

Whitman advised rescue workers to wear respirators and people returning to homes and offices in the area to hire contractors to remove asbestos, Bellow said.

Much of the dispute has centered on the release in late October of data from earlier EPA samples that showed elevated levels of dioxins, PCBs, lead and chromium. PCBs are toxic chemical compounds believed to cause skin diseases, birth defects and cancer.

The New York Environmental Law and Justice Project said the EPA released results in response to the nonprofit agency's Freedom of Information request.

Bellow countered that the results were going to be released that day regardless of the group's request. The agency released data immediately after they were quality checked

and as soon as the agency recovered from losing access to its lower Manhattan offices, she said.

"The idea that we were simply refusing to release data is untrue," Bellow said.

EPA ombudsman Robert Martin, who was unavailable for comment yesterday, has often battled heads with the agency's leadership, having spearheaded 35 investigations and criticized the agency for its handling of polluted sites.

Whitman is seeking to fold the ombudsman job into the EPA inspector general's office.

"This would be the death of any independent oversight of the EPA," said Rep. Jerry Nadler (D-Manhattan), one of a number of congressmen who oppose the proposed move.

Kaufman said the investigation would reexamine the EPA-measured levels of fine particles of asbestos and benzene, a petroleum byproduct that can cause lung and heart disease, cancer and other ailments.

Daily News
Jan. 12, 2002

Mayor urges new law on next in line

Mayor Bloomberg said yesterday he agrees the City Charter should be changed so the public advocate is no longer next in line to the mayoralty—an idea floated by the new public advocate herself.

While on the campaign trail, Betsy Gotbaum called for a change in the emergency mayoral succession process. Currently, the public advocate can serve as mayor for up to 16 months if the elected mayor cannot serve.

Bloomberg said he would like to see the first deputy mayor take over for 90 days until a special election takes place.

Under Bloomberg's scenario, the first deputy mayor would not be able to run in the special election.

"Having somebody step in on a temporary basis and a special election 90 days later seems to me to be more democratic," Bloomberg said.

Lisa L. Colangelo

Daily News

Jan. 14, 2002

Ground Zero

Studies Will Take Sept. 11's Measure In Health Effects

By KIRK JOHNSON

Public health researchers in New York, struggling to determine the real dimensions of the health threat at the World Trade Center site, are beginning an ambitious series of long-term studies to identify and then track a wide range of people who lived through the nightmare of dust, smoke and stress when the towers fell.

Two Manhattan hospitals, for instance, are collecting blood samples from pregnant women who say they were in the vicinity of the trade center on the morning of Sept. 11 or in the days afterward. Mount Sinai School of Medicine will send out 3,000 letters to obstetricians in the region as early as next week, also seeking pregnant women who were near ground zero for a related study that will look at the possible effects of maternal anxiety as well as toxic substances in the air.

Beginning next Monday, physicians and investigators from Queens College will start searching for nonunion day laborers, many of them now dispersed into the work force, who helped clean up dust-saturated buildings around the trade center in the weeks just after the attacks. The New York Academy of Medicine is beginning an even more ambitious task: building a registry of every person — from the firefighters to members of the New York City Transit tunnel crews — who worked, even for a day, at ground zero.

The researchers say that while these studies are, in certain respects, the sort of work that invariably follows major disasters and accidents, they also say that the variety of the inquiries reflects a disturbing but ever-growing realization among health experts: four months after the attacks, very little can be said with scientific certainty about the health risks that recovery workers or bystanders faced in the disaster and the cleanup.

That uncertainty, which some health and environmental experts now say was perhaps not adequately reflected by public officials in the days and weeks after the attacks, underscores how unique the World Trade Center disaster

was as a public health emergency.

The blast of dust and smoke — and the toxic substances, fibers and ash that blew through New York in the days afterward — is without precedent in medical literature, which means that there are no studies to fall back on for guidance on whether to be alarmed or reassured.

The air-monitoring system that was set up after the attacks — indeed, the whole science of air monitoring — is based chiefly on long-term exposures associated with ordinary air pollution or workplace hazards. This means that the effects of short, intense bursts of pollution — the sort experienced by many thousands of people on Sept. 11 — are far less known.

"There are gaps in our knowledge base," said Dr. Frederica P. Perera, a professor of public health at Columbia, who is leading one of the prenatal projects.

Professor Perera said that based on the evidence already reported, she does not expect to find widespread health consequences in her prenatal study. The air-quality measurements for things like asbestos, PCB's and dioxins, taken in the neighborhoods around the World Trade Center, have consistently shown little cause for worry about long-term health.

But as a scientist, she cannot offer any definitive reassurances when an anxious resident or downtown office worker calls. "Because of the uncertainty, and the paucity of the data it's important to lay to rest the anxieties," she said. "And we'd like to be able to provide reassurance based on data."

Some \$10.5 million was made available by the federal government alone this week to finance medical and health studies and worker environmental training related to Sept. 11.

Studies like these are intensely complicated, a difficulty compounded in New York by the demographics of an area where residents, tourists and office workers — many of them commuters — are mixed together. No one has any idea how many pregnant women, for example, were downtown on Sept. 11. The Columbia

study is seeking 300 of them — some more exposed to the ash and dust, some less — while Mount Sinai is hoping for another 300, with some overlap likely between the two.

Cleanup workers, many of them immigrants who do not belong to labor unions, have gone on to other jobs and may be impossible to find. One cleanup company that had 1,800 workers two weeks after the attacks now has 50, according to Dr. Steven Markowitz, director of the Center for the Biology of Natural Systems, an environmental and occupational health research institute at Queens College, which is leading the search for those workers.

Dr. Markowitz said his mobile examination vehicle, to be parked near City Hall, will have a physician, a breathing-test technician and an interviewer, all of them fluent in Spanish, the language spoken by most of the cleanup crews. He said that part of his motivation in starting the study is the issue of economic disadvantage.

"These guys are about the least likely group to get any medical attention," he said. "They either don't have access to health care, or will go to a neighborhood doctor who doesn't have a clue about toxins."

Even defining what "exposed" means has required rigorous new methodology. The Mount Sinai study, for example, has identified three zones around ground zero, each of which — based on existing air monitoring — will figure in the analysis.

Meanwhile, researchers at the University of Medicine and Dentistry of New Jersey and at the Lamont-Doherty Earth Observatory at Columbia are working on pinpointing where the smoke plume went in the days immediately after the attack. In this way, a zone of exposure in, say, Brooklyn Heights, which was downwind just after the attacks, might be better compared to one in TriBeCa in Manhattan.

THE NEW YORK TIMES
1/11/02

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Queens Chronicle 113102

KeySpan Expansion Considers Site's Old Pollution Problems

by E.E. Lippincott

Associate Editor

Residents near the Ravenswood Power Facility in Long Island City can expect to see people walking around in Tyvek suits and wearing gas masks as part of the plant's recently-begun expansion.

The protective clothing will be required of some employees because the land has been polluted by old industry, located there during the first half of the 20th century. But KeySpan Energy, which owns the plant, assures locals that the community is in no danger.

KeySpan's expansion project will increase the 2,160-megawatt facility's output by 12 percent, or 250 megawatts. The new generators will use combined-cycle technology, which runs partly on self-generated steam heat. This method has very low emissions.

The Ravenswood facility is best known for its three red and white-striped smokestacks. The largest of the three is known as "Big Allis."

KeySpan undertook a voluntary investigation of the property when it purchased it from Con Edison in 1999 as part of statewide energy deregulation, which divested Con Edison of many of its holdings.

The study, done with help from the New York State Department of Public Service, evaluated soil and groundwater conditions in the area and found them to contain the pollutants regularly found at early 20th century industrial sites.

The Ravenswood property runs along the East River on both sides of the Roosevelt Island Bridge. It was first occupied for industrial purposes in 1898 by the Ravenswood Manufactured Gas Plant,

which can be found at thousands of former MGP plants across the nation, continue to pose serious health risks to people and the environment.

Manufactured gas plants were the earliest method of large-scale energy generation. It was achieved by turning coal or coal mixed with oil into gas, which was then pumped into homes and businesses.

The process created enormous amounts of very hazardous waste. Its residues,

which can be found at thousands of former MGP plants across the nation, continue to pose serious health risks to people and the environment.

MGP technology faded from favor between World War I and World War II. It was replaced by natural gas, coal (for burning) and petroleum products.

Some of the many dangerous residues commonly found at former MGP sites are

coal tar, benzene, arsenic, benzol, pyrene, phenol, polynuclear aromatic hydrocarbons and volatile organic compounds.

"The investigation did find residues typically associated with former manufactured gas plant sites on the Ravenswood property," said a statement KeySpan released in December, when it announced the beginning of its expansion construction. "The investigation also showed that these residues were not at a level or location to pose a risk to site employees or the surrounding communities."

Only employees working directly with the contaminated soil during construction will be wearing protective clothing and respirators, the release said.

KeySpan is one of four companies seeking to build power plants in Western Queens. Unlike other companies, namely the New York Power Authority, KeySpan has received high marks from community activists for its outreach efforts.

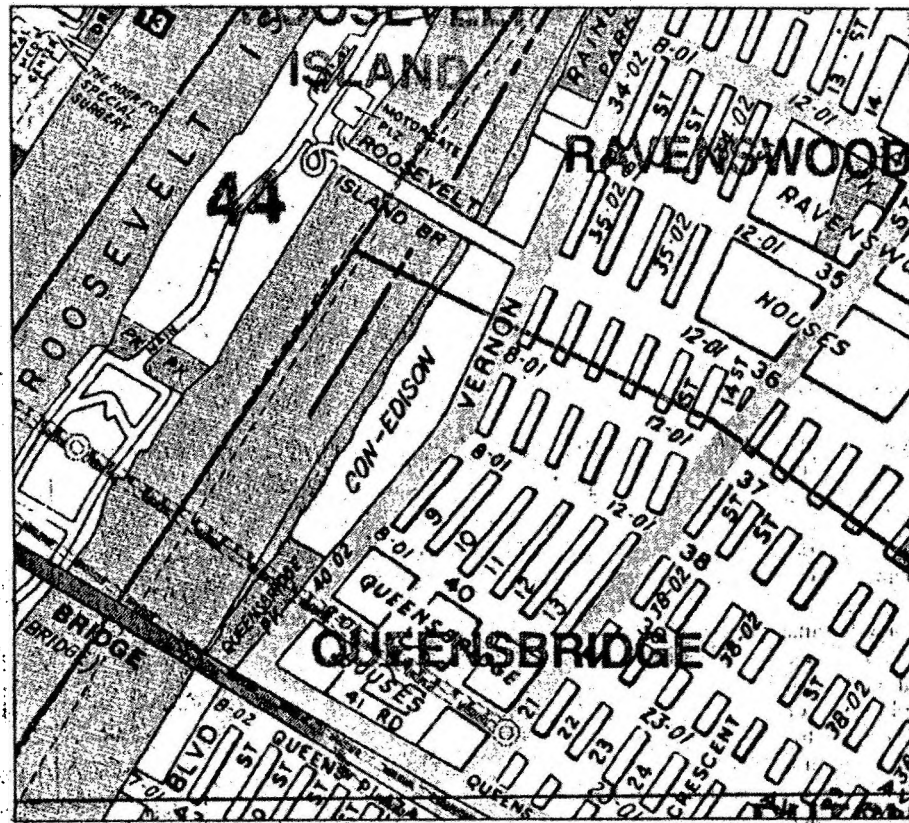
Because of those efforts, which include the voluntary environmental study and cleanup, local groups that formerly opposed the Ravenswood expansion were able to reach compromises with the company.

Ray Normandeau lives in the Queensbridge Housing Project three blocks from Big Allis. He's not worried about KeySpan contaminating his neighborhood.

"It will look dramatic," he said of the workers in hazardous waste suits. "But I think I'm far enough away."

Normandeau did note that the residents closest to the facility are low-income and tend not to be very educated. If there was a problem "they might not be very vocal."

KeySpan says its expansion should be completed and in working order by 2003.



In 1999, KeySpan Energy bought Con Edison's Ravenswood Power Plant along the East River in Long Island City.