

Gilsenan, Michael

From: Kelly McKinney [kmckinne@health.nyc.gov]
Sent: Friday, April 05, 2002 6:12 PM
To: michaelgi@dep.nyc.gov
Subject: WTC vehicles



Draft Risk
essment TABLES_F



FDNY WTC AM
Data.xls



NYPD ESS AM
Data.xls

Mike,

At your request, the following is a brief description of the subject issue:

In the weeks following September 11th, 2001, as many as twelve hundred vehicles were removed from the vicinity of the World Trade Center and transported to the Department of Sanitation landfill in Staten Island. At the landfill, the vehicles were searched for evidence and human remains and their ownership status determined. Most of the vehicles were damaged beyond repair, but up to two hundred vehicles were considered "potentially operable" with many owners requesting their return. Many city agencies, including DOS, DOH, NYPD, FDNY, COSH and the Law Department (I believe DEP was invited) met at OEM over the course of several weeks. The issue of liability was discussed. Although data indicated only minimal potential for exposure to hazardous materials, if an owner got sick he or she might sue the city for personal injury damages. Legal counsel indicated the need to provide to the owner sufficient notice of potential health impacts as well as cleaning guidance. After discussing the issue at length in this series of meetings, we reached the following consensus approach: In the absence of an environmental hazard sufficient to condemn the cars for health reasons, WTC vehicle owners have the right to their property, assuming sufficient notice is given. I believe the Law Department discussed the approach with DEP General Counsel's office and Commissioner Miele was advised but I don't have details.

DOH, Law Department and DOS developed notice letters to vehicle owners alerting them that the city had possession and giving them 15 days to claim them. At DEP's request, owners were required to bring flatbed trucks to the landfill. The vehicle exterior was to be power washed by EPA at the site boundary and the vehicle tarped prior to removal by the owner. On March 18th, the first of 68 vehicles (the "WTC vehicles") were scheduled for release. On March 14th, Congressman Jerrold Nadler sent to EPA a letter that claimed "dangerous levels of asbestos" and said (among other things) "I respectfully request that you exercise your authority to file an emergency injunction...to stop return of these vehicles..." and "...direct EPA On-Scene Coordinators to remediate the cars for hazardous waste contamination before returning them to their owners."

EPA contacted MOEC, OEM, and the Law Department urgently requesting delay of the return of the WTC vehicles, to which the city agreed. We met with EPA (Bruce Sprague, Branch Chief of Hazardous Waste and Emergency Response and William Sawyer of EPA Region II legal) at 290 Broadway the following week. The meeting ended with a request from EPA for WTC vehicle data, which DOH provided that afternoon.

WTC vehicle data is attached. It is primarily air monitoring data collected from the vehicles most severely impacted by WTC dust and debris: New York city fire trucks and police emergency service vehicles that responded on September 11th. These vehicles were on the street in

'close proximity to the towers, many with engines and ventilation systems operating. Datasets from FDNY and NYPD vehicles at ground zero indicate the potential maximum exposure levels for WTC vehicle interiors.

Attached is a listing of 203 vehicles identified by FDNY as on the WTC site on September 11th. In the following days, these vehicles were repaired, subjected to cursory cleaning, and placed back into service. In early 2002, the Public Employee Safety and Health (PESH) office of the New York State Department of Labor collected air samples from within each of the 203 vehicles. During sampling vehicle windows were closed, ventilation systems were blowing full strength and the vehicles were driven on city streets. Laboratory analysis results for 199 of 203 vehicles interiors were below the AHERA clearance criteria for K-12 schools. Also attached is a similar listing for Emergency Service Unit vehicles collected by NYPD's Occupational Safety and Health Unit. Results for 1 of 40 vehicle interiors exceeded the AHERA criteria. Further analysis of this air sample using Transmission Electron Microscopy revealed no asbestos detected.

Also attached is a report of a quantitative human health risk assessment. Conclusions are found on page 7 in the section entitled "Risk Characterization."

On March 27th we received a letter from Region II (addressed to Commissioner Doherty of DOS.) The letter indicated that "We do not believe it would be prudent to release these vehicles to the current owners in their current condition. Before any release to the owner, the City should require that the owner arrange to have the vehicle sent directly to a certified professional asbestos cleaning company. Only after the City receives documentation from the cleaning company certifying to the City and to the owner that a satisfactory, thorough cleaning was performed should the vehicle be released to the owner."

A final meeting with EPA is scheduled for 2pm Monday April 8th to discuss this issue and their letter.

Please call with questions.



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H Stat table

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	3	5	7	10	12	15	21	31	51	101
SD(Ln(x))										
0.100	2.75	2.035	1.886	1.802	1.775	1.749	1.722	1.701	1.684	1.67
0.200	3.295	2.198	1.99	1.881	1.843	1.809	1.771	1.742	1.718	1.697
0.300	4.109	2.402	2.125	1.977	1.927	1.882	1.833	1.793	1.761	1.733
0.400	5.22	2.651	2.282	2.089	2.026	1.968	1.905	1.856	1.813	1.777
0.500	6.495	2.947	2.465	2.22	2.141	2.068	1.989	1.924	1.876	1.83
0.600	7.807	3.287	2.673	2.368	2.271	2.181	2.085	2.01	1.946	1.891
0.700	9.12	3.662	2.904	2.532	2.414	2.306	2.191	2.102	2.025	1.96
0.800	10.43	4.067	3.155	2.7	2.57	2.443	2.307	2.202	2.112	2.035
0.900	11.7400	4.4780	3.4200	2.9020	2.7380	2.589	2.4320	2.3100	2.2060	2.1170
1.000	13.0500	4.9050	3.6900	3.1030	2.9150	2.744	2.5640	2.4230	2.3060	2.2050
1.250	16.3000	6.0010	4.4260	3.6390	3.3890	3.163	2.9230	2.7370	2.5800	2.4470
1.500	19.6000	7.1200	5.1840	4.2070	3.8960	3.612	3.3110	3.0070	2.8810	2.7130
1.750	22.8700	8.2500	5.9600	4.7950	4.2200	4.081	3.7190	3.4370	3.2000	2.9970
2.000	26.1400	9.3800	6.7470	5.3960	4.9620	4.548	4.1410	3.8120	3.5330	3.2950
2.500	32.6900	11.6700	8.3390	6.6210	6.0670	5.557	5.0130	4.5880	4.2280	3.9200
3.000	39.2300	13.97	9.945	7.864	7.1910	6.57	6.8150	5.3880	4.9470	4.569
3.500	45.7700	16.27	11.56	8.118	8.3260	7.59	7.731	6.201	5.681	5.233
4.000	52.3100	18.5800	13.1800	10.3800	9.4690	8.63	7.7310	7.0240	6.4240	5.9080
4.500	58.8500	20.8800	14.8000	11.6400	10.6200	9.669	8.6520	7.8540	7.1740	6.5900
5.000	65.3900	23.1900	16.4300	12.9100	11.7700	10.71	9.5790	8.6880	7.9290	7.2770
6.000	78.4700	27.81	19.68	15.45	14.0800	12.81	11.4400	10.3600	9.4490	8.661
7.000	91.5500	32.43	22.94	18	16.3900	14.9	13.31	12.05	10.98	10.05
8.000	104.6000	37.0600	26.2000	20.5500	18.7100	17.01	15.1800	13.7400	12.5100	11.4500
9.000	117.7000	41.6800	29.4600	23.1000	21.0300	19.11	17.0500	15.4300	14.0500	12.8500
10.000	130.8000	46.3100	32.7300	25.6600	23.3500	21.22	18.9300	17.1300	15.5900	14.2600