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August 19, 2003

Jane M. Kenny, Regional Administrator
United States Environmental Protection Agency – Region 2
290 Broadway, 26th Floor
New York, NY 10007-1866

Dear Administrator Kenny:

As you will remember, on December 17, 2002 the New York City Council Committee on Environmental Protection, jointly with the Select Committee on Lower Manhattan Redevelopment, held a hearing on the environmental impacts of the World Trade Center attack and the EPA's Residential Cleanup and Testing Program. The hearing proved to be informative in that Assistant Administrator Kathy Callahan provided information on the indoor clean up program implemented by the EPA to clean up lower Manhattan homes in the aftermath of the attacks on the World Trade Center. Specifically, Assistant Administrator Callahan informed us that the program was only available to residential buildings and that, as of December 16th, the EPA had received 1,212 requests to test apartments for asbestos in the air and 5,257 requests for apartment cleaning and testing.

Although the information provided by Assistant Administrator Callahan was valuable in helping us gain a sense of the scope of the indoor cleanup program, we still seek additional information that will help the City Council assess the testing and clean up of indoor spaces that were affected by the toxic plume from the World Trade Center attack, and inform the City Council of any environmental and public health impacts, both long-term and short-term, attributed to the attack. Moreover, the City Council seeks to ensure that the most thorough, expansive and effective measures have been taken to protect the health and well-being of all City residents, workers and visitors. To this end, I am respectfully requesting that the EPA provide us with the following information:

1. Data that the EPA has obtained from building owners who conducted contamination testing of their respective buildings during the period immediately after 9/11 and conclusions drawn from that data. Please

provide copies of any related reports or studies completed by the EPA, as well.

2. Whether or not the EPA possesses documents that specify how many buildings in Manhattan were tested, and how many owners of these buildings checked the ventilation system, in particular?
3. The standards/protocols employed by the EPA to ensure the integrity and cleanliness of residential heating, ventilation, and air conditioning (HVAC) systems and whether or not these standards/protocols were made available to residents?
4. The enforcement measures employed by the EPA to ensure that owners of residential buildings conducted contamination assessments of their respective HVAC systems. If so, how did the EPA determine the integrity of the contamination assessments?
5. The measures the EPA adopted to prevent recontamination by way of carpet removal in the apartments and common areas of residential buildings.
6. Whether the EPA required owners of residential buildings to clean up their entire building? If not, how did owners assure the EPA that safeguards were taken against recontamination of apartments where certain apartments were thoroughly cleaned and others were not?
7. Data that the EPA has compiled from its HVAC ventilation system clean up program, as well as any related written reports.
8. Whether the EPA adjusted cleaning and toxin removal standards/protocols to reflect the peculiarities of each type of HVAC system?

I hope that we will promptly receive the requested information, and I look forward to continuing to work with you and your staff to ensure environmental quality for New York City's residents, workers and visitors.

Sincerely,



James F. Gennaro
Chair, Committee on Environmental Protection

JFG/rc