



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

See now

September 5, 2003

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THE ADMINISTRATOR

The Honorable Joseph I. Lieberman
The Honorable Hillary Rodham Clinton
U.S. Senate
Washington, D.C. 20510

Dear Senator Lieberman and Senator Clinton:

This letter is in response to your August 26, 2003 letter to President Bush regarding the actions of the Environmental Protection Agency immediately following the attacks on the World Trade Center on September 11, 2001.

As will be described in greater detail later in this letter, the actions taken by EPA personnel were nothing less than heroic. EPA staff reacted quickly, immediately constructing a system of air quality monitors to collect data needed to assess risks to the public. Working closely with FEMA, OSHA, the State of New York, the City of New York and others, EPA was able to analyze the data and make determinations with cooperation and assistance of the best professionals available.

This critically important environmental data, which took much effort to collect and analyze under very difficult conditions, was then disseminated to the public as quickly as possible. EPA did not, nor was it directed to, change any data or alter information in a way that would jeopardize public health. At all times during the Trade Center disaster, EPA conducted itself in a fully forthright manner, using its best professional judgment and expertise to provide its best advice to the people of New York.

At no time did EPA compromise its mission to protect public health.

Your citations from the report of the Office of the Inspector General (IG) regarding our conduct at the World Trade Center ignore two fundamental conclusions that speak to your concerns:

"In regard to the monitoring data, we found no evidence that EPA attempted to conceal data results from the public."

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EPA provided a constant flow of information to reporters every day, and it shared that data with city, state, and federal environmental, health and occupational health agencies. EPA consulted with these agencies on a daily basis with respect to its decisions.

It is important to note that the tens of thousands of samples taken of nearly 700 chemicals, yielding more than a quarter million results, bore out our statements about air quality. This statement from the IG's report confirms that:

"(The IG) spoke to a number of experts in the field of environmental monitoring, including physicians, industrial hygienists, and researchers. These experts generally agreed that the levels of airborne asbestos detected in the air outside the perimeter of Ground Zero in Lower Manhattan did not present a significant increase in long-term risk to the public."

In an atmosphere of constant, urgent requests for information, EPA, confronted with ever-changing and ever-growing amounts of data, and using its best professionals gave its best, and it turns out, an accurate assessment of the conditions in Lower Manhattan.

The two press releases discussed by the IG must be evaluated in the context of the overwhelming weight of information being made available to public officials and the public in New York City during that terrible time. All of the partners that joined together in this crisis were collecting and disseminating information under three broad categories of risk in the days immediately following the disaster. There were immediate risks, including firefighting and rescue operations, near-term health risks for people in the immediate vicinity and potential long-term risks, which were, and continue to be monitored and evaluated very closely by EPA and the research community. With so much information being produced for so many different categories of risk, it is not useful to isolate two press releases from the many other ongoing information campaigns and direct communications to specific audiences.

An even cursory review of the multitude of communications from EPA, as well as other Federal agencies—speeches, workshops, public meetings, flyers, real-time Internet postings, interviews—convey concern about public safety, contain specific warnings about worker safety at Ground Zero, and speak to the need to obtain professional advice and, where needed, do a careful and professional clean-up of interior spaces.

Your letter requests that EPA take a number of additional actions in Lower Manhattan, specifically: post cleaning testing to ensure the indoor cleaning program reduced residents' risk of exposure; post cleaning verification to ensure residences have not been re-contaminated; and collaboration with FEMA and OSHA to assess whether the residential cleaning program should be expanded.

As we outlined in detail at the hearing before your Subcommittee, and in subsequent communications since then, EPA has already taken significant steps to address the issues you raise again in your letter.

In responding to these issues, the following information further reinforces that the long-term risk of exposure to the most probable contaminants of concern (PCOC) has been reduced dramatically:

- The vast mass of dust and debris from the WTC collapse has been removed. This is a result of cleanup during the response actions, the Ground Zero cleanup, and the clean-up of building exteriors.
- EPA identified Contaminants of Potential Concern with other federal, state and city agency experts. This was contained in a draft paper which was peer reviewed. The Contaminants of Potential Concern (COPC) document was revised based upon the peer reviewers' comments. The contaminants so identified were used in the EPA Confirmation Cleaning Study discussed below.
- 4,100 residences were tested after cleaning or tested only at the request of the resident. This testing was for asbestos in air and was conducted to a very conservative, low asbestos sensitivity level and health based benchmark. 1% of the test results were found to exceed 0.0009f/cc, the benchmark used. Where there were exceedences found, re-cleaning was done.
- EPA also cleaned the common spaces in 144 residential buildings in lower Manhattan which included over 6,600 samples for asbestos in air. EPA also cleaned heating, ventilation and air conditioning systems in 28 buildings where there was visible dust related to the WTC collapse, after inspecting 110. All common spaces were cleaned to below the asbestos in air health based level of 0.0009f/cc.
- Wipe sampling of dust was done in a subset of residences (approximately 250) to evaluate pre-cleanup and post-cleanup levels. These wipe samples were done for dioxin, polycyclic aromatic hydrocarbons (PAHs), and metals including lead and mercury. The analytical results are still being completed, but thus far we have found few exceedences of health-based benchmarks.
- EPA conducted a Confirmation Cleaning Study in a building very close to the WTC site. The building was heavily contaminated. Pre-cleaning testing was done; cleanup was done; post cleanup testing was done for asbestos, dioxin, lead, polycyclic aromatic hydrocarbons, and man-made vitreous fibers.

- EPA found that the clean-up techniques of wet mopping, wet wiping and HEPA vacuuming were successful in achieving health based benchmarks for WTC contaminants of potential concern. EPA also found that asbestos in air was a reasonable surrogate for achieving health benchmarks for other contaminants.
- EPA, FEMA and OSHA have coordinated throughout the indoor clean-up program, and OSHA has agreed to investigate any complaints by workers in commercial establishments of dust exposure problems. EPA focused on a cleanup program for residences.

key point

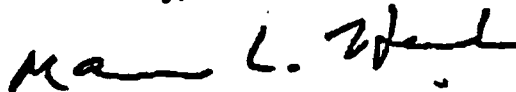
With respect to other elements of the IG report, virtually every one of the recommendations contained in the IG's report had already been identified and changes begun well before the report was written. In fact, Administrator Whitman went to great lengths to evaluate the decision-making during the response and to put systems in place to improve our preparedness in the future. The IG report was completed long after this "lessons learned" exercise, and is not as comprehensive an effort. While our report on lessons learned pointed out what things were done well and what improvements were needed, the IG report, published much later and addressing a much narrower subject area, followed a theme of failure, ignoring all of the efforts of so many people who were working to better protect the people of New York. It is unfortunate that the IG report was focused so narrowly and created the misimpression that the people were not served well by their government.

With regard to your request for documents and a list of names of people that may have reviewed documents, let me assure you that it is normal and proper for EPA to request and receive comments on documents that involve other Agencies. Indeed, one of the key lessons learned is the need for centralized communications during times of national crisis. All content of any press materials was decided by the Agency, with some edits taken in the process. No lists are kept of all participants in the review process, nor am I aware of records that were not made available to the IG. Therefore, there are no records that are responsive to your request.

Again, EPA employees stood shoulder to shoulder with responders and our local State and Federal partners. Collectively, at a time of great uncertainty, we worked toward our common goal of protecting the people of Lower Manhattan. As we look back at that awful time, as we review and reflect on what we did and how we acted, we should never allow the length of the intervening months and years to dull the reality of what it was like to function on that horrible day and in the days after.

I take great pride in the actions taken by EPA and all of our partners, and am confident in the knowledge that all involved used their best professional judgment based on the best information available. I appreciate having this opportunity to set the record straight and to provide some assurance to the people of New York that, in their time of need, their government responded admirably.

Sincerely,



Marianne Lamont Horinko
Acting Administrator