

10 East 53rd Street
New York, New York
10022-5299

Telephone 212 207-7000

 HarperCollins Publishers

12/11/03

From:
Wayne Barrett
36 Cooper Square
New York, NY 10003-7118
Phone: 212-475-3300 Ext. 12008, 12009, 12010
Fax: 212-477-4236

To:
Marie Dooley
FOIL Officer
Department of Environmental Protection
59-17 Junction Blvd. 19th Floor, Legal Affairs
Flushing, NY 11373

Dear Ms. Dooley:

Dan Collins at CBS.com and I are writing a 9-11 book for Harper's that will be out in 2005. We are interested in reviewing all public records including correspondence, memorandum, reports, contracts, payment records, budget documents, sample findings, evaluations, audits, transcripts, press releases, surveys and public announcements related to 9-11. Without reducing in any way the comprehensive scope of this FOIL, I am making these specific requests:

1. Any documents relating to the city's assumption of oversight and actual oversight of the cleanup of private property near Ground Zero, especially between 9-11 and May 2002, when FEMA and EPA assumed such oversight. The focus of the concern about this issue has always been indoor air. Though my request extends to exteriors, I am most interested also in the indoor issue. As you know, the city owns and rents many buildings near GZ. I am also requesting any records you have involving the monitoring, cleaning and reoccupation of those offices, particularly City Hall and the Municipal Building.

2. Any documents related to respirators and other protective equipment for GZ workers, including a copy of a flyer prepared by EPA and noted in the EPA IG report regarding respirator use that was not disseminated at GZ. If DEP played a role in determining whether GZ, Fresh Kills or any other 9-11-related location was or was not a hazardous waste site under law, or if DEP obtained records from the state or city regarding such a determination, please supply records. If DEP played a role in overseeing the transport of materials trucked and barged from GZ, Fresh Kills or any other 9-11-related location, or if DEP obtained records from other agencies overseeing such transport, please supply records. If DEP had to certify truck, barge, building, disposal or other

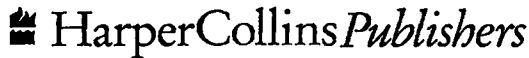
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DEPARTMENT OF ENVIRONMENTAL PROTECTION

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cleanups, please supply any records related to those certifications, submissions, approvals, inspections, etc.

3. Please supply copies of Commissioner Miele's phonelogs, appointment and meeting diaries from September 1 to the end of 2001, as well as any record he might have kept during that period regarding the GZ cleanup and discussions with City Hall, EPA, DDC, DEC, DOH, OSHA, DOS, FDNY or other agencies.

4. Please include any budget or reimbursement submission made by DEP to FEMA, the mayor's office, the city council, the comptroller, the state, EPA, or any other public entity regarding GZ or Fresh Kills or any other site. Any records you have related to FEMA, including rejections or reductions of proposed reimbursement, are also requested.

5. Please also supply the freedom of information letters submitted by any other party for any of the materials sought under this request. Also supply any records you have already provided in response to those requests. This also applies to subpoenas in civil proceedings.

I realize that these requests are broad and difficult. I would be happy to discuss any ways of narrowing the request that may be helpful to you and us. I am sending a very similar request to DOH and I am not sure where one agency's interest ends and the other begins, but perhaps we can make this easier for all involved by a three-way conference call. While some of this documentation may extend beyond January 1, 2002, I am primarily interested in the documents that cover the 2001 period or examine it after the fact. Please do not wait until you have collected all these records to invite us in to look at some; we will be happy to do this piecemeal. We are requesting an opportunity to review the records BEFORE they are copied and I am certain our review will reduce the number of pages that have to be xeroxed. We all know that 9-11 was a seminal event in the life of our city and this will be the only of many books that tells the story exclusively from a NYC point of view. I hope you will consider this rather onerous FOIL request in that context.

Sincerely,

WAYNE BARRETT

Wayne Barrett, Senior Editor, The Village Voice

To: Mike Galsenan
From: Marie Doobey
1/20/04

Mark Hoffer asked me
to send this to you + ask
what you have on it

Please call me before
releasing
anything

- 6530

Thanks
MD

Bull
FYI
MD
1/22/04

Urgent ☐

For _____

Date _____

Time _____

While You Were Out

M _____

Of _____

Phone _____

AREA CODE

NUMBER

EXTENSION

Telephoned ☐Please Call ☐Came To See You ☐Will Call Again ☐Returned Your Call ☐Wants To See You ☐Message _____

Signed _____

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