

Mark to
refer to
Law
Department

Maldonado, Jane

From: Maldonado, Jane
Sent: Tuesday, October 29, 2002 3:32 PM
To: Kam, Phyllis
Subject: FW: 110 Liberty Street

Please log out 1-3628414

-----Original Message-----

From: Maldonado, Jane
Sent: Tuesday, October 29, 2002 3:31 PM
To: 'hmb25@drexel.edu'
Subject: 110 Liberty Street

10/29/02

Dear Ms. Balgowan,

Your correspondence regarding 110 Liberty Street was received by the NYC Department of Environmental Protection. For the information you are requesting, you will need to contact the United States Environmental Protection Agency who is doing a study and will have all the reports. They can be reached at www.epa.gov/wtc or Help Line number (877) 796-5471. Hope this has been of assistance to you.

Sincerely

Maldonado, Jane

From: Hoffer, Mark
Sent: Tuesday, October 29, 2002 3:20 PM
To: Maldonado, Jane; McCarthy, Anne
Subject: RE: NYC.gov - Correspondence #1-3628414 Message to Commissioner, DEP - Information Request

ok by me.

-----Original Message-----

From: Maldonado, Jane
Sent: Tuesday, October 29, 2002 10:33 AM
To: McCarthy, Anne
Cc: Hoffer, Mark
Subject: FW: NYC.gov - Correspondence #1-3628414 Message to Commissioner, DEP - Information Request

As per Krish, I'll respond with a referral to EPA?

-----Original Message-----

From: Radhakrishnan, Krish
Sent: Tuesday, October 29, 2002 10:23 AM
To: Maldonado, Jane
Subject: FW: NYC.gov - Correspondence #1-3628414 Message to Commissioner, DEP - Information Request

Please refer this to EPA, who is doing the study and we do not have any results.

-----Original Message-----

From: Avaltroni, Robert
Sent: Tuesday, October 29, 2002 10:19 AM
To: Radhakrishnan, Krish
Subject: FW: NYC.gov - Correspondence #1-3628414 Message to Commissioner, DEP - Information Request

FYI

-----Original Message-----

From: Hoffer, Mark
Sent: Monday, October 28, 2002 5:48 PM
To: McCarthy, Anne; Estes-Fradis, Kim
Cc: Sturcken, Charles; Millner, Natalie; Avaltroni, Robert
Subject: RE: NYC.gov - Correspondence #1-3628414 Message to Commissioner, DEP - Information Request

If the request is for statistical results of air studies done at 110 Liberty, it's FOIL-able. If this is for something else, I need to know what the writer wants.

-----Original Message-----

From: McCarthy, Anne
Sent: Monday, October 28, 2002 4:54 PM
To: Estes-Fradis, Kim
Cc: Hoffer, Mark; Sturcken, Charles; Millner, Natalie; Avaltroni, Robert
Subject: FW: NYC.gov - Correspondence #1-3628414 Message to Commissioner, DEP - Information Request

Please respond if appropriate. Thanks.

Your NYC.gov CRM Correspondence Number is 1-3628414
 DATE RECEIVED: 10/28/2002 12:08:42
 DATE DUE: 11/08/2002

Message Type: Request for Information

Topic: Information Request

Contact Info: Yes

M/M: Ms

First Name: Heather

Middle Name: M

Last Name: Balgowan

Company: student

Street Address: 3205 Winter Street

City: Philadelphia

State: PA

Postal Code: 19104

Country: United States

Email Address: hmb25@drexel.edu

Message: I am doing a report for school and I was wondering if the results to the 110 Liberty Street study have been completed and if they will be made available or you can possibly e-mail them to me.

Thanks

WTC

Avaltroni, Robert

From: Bader,Doreen
Sent: Thursday, November 14, 2002 1:29 PM
To: Avaltroni, Robert
Cc: McCarthy, Anne; Hoffer, Mark
Subject: RE: Email request on 110 Liberty Street

I also sent an email to the student and echoed your referral to EPA. Apparently, EPA told her that this report would not be available to the public until February 2003.

Doreen

From: Avaltroni, Robert
To: Hoffer, Mark; Bader,Doreen
Cc: McCarthy, Anne
Subject: RE: Email request on 110 Liberty Street
Date: Friday, November 08, 2002 10:20AM

We responded to this on 10/29 and referred to EPA's website and Helpline. As per Krish Radhakrishnan, we do not have any results.

—Original Message—

From: Hoffer, Mark
Sent: Wednesday, November 06, 2002 11:35 AM
To: Bader,Doreen
Cc: Avaltroni, Robert; McCarthy, Anne
Subject: RE: Email request on 110 Liberty Street

I have no problem with sending the student the statistics on the clean-up (what was found and how much). Bob Avaltroni sh. be advised before this goes out.

I would not send any subjective evaluation or critique of the clean-up work.

—Original Message—

From: Bader,Doreen
Sent: Wednesday, November 06, 2002 11:01 AM
To: Hoffer, Mark
Subject: Re: Email request on 110 Liberty Street
Importance: High

The student responded to my email. It reads as follows:

"I attend Drexel University for civil engineering. This is my fourth year and am currently doing a research project. I am simply looking for the results of the study the EPA did on 110 Liberty on the effectiveness of various clean-up efforts. I am looking for the analyses that were done. I hope you can help."

I did ask her if she contacted EPA directly, since she mentions the federal agency. Please advise.

Thank you,
Doreen

From: Hoffer, Mark
To: Bader,Doreen
Subject: Re: Email request on 110 Liberty Street
Date: Thursday, October 31, 2002 2:29PM
Priority: High

Hi

What I meant was that in the world of FOIL, inter or intra-agency documents are generally exempt from public disclosure, with certain exceptions. One such exception is "statistical or factual tabulations of data" (I think I remembered it right), which has always been construed to mean an agency should make available statistics or other strictly factual info, even if contained in an internal document. Thus, Mike Principe provides Riverkeeper with lots of final, verified water quality monitoring results (note the stress on "final, verified" - we are not obligated to disclose rough numbers in the nature of a draft, that are subject to verification).

I don't remember exactly what the request is here, but if it's for air quality monitoring results which we have and which are final, these are technically "FOIL-able" so I do not object to their disclosure (if Bob Avaltroni has a concern, I need to know and determine if we can find another basis to withhold the data). Note that I'm only talking about the monitoring data - not about interpretations of the data, which I do not believe we are obligated to provide.

If you have further questions, feel free to e-mail (I'm out of town in DC)

3628414

Avaltroni, Robert

From: Hoffer, Mark
Sent: Friday, November 08, 2002 11:41 AM
To: Avaltroni, Robert; Bader,Doreen
Cc: McCarthy, Anne
Subject: RE: Email request on 110 Liberty Street

Ok. Then this matter is closed out.

-----Original Message-----

From: Avaltroni, Robert
Sent: Friday, November 08, 2002 10:21 AM
To: Hoffer, Mark; Bader,Doreen
Cc: McCarthy, Anne
Subject: RE: Email request on 110 Liberty Street

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 DATE DUE: 11/08/2002

Message Type: Request for Information

Topic: Information Request

Contact Info: Yes

M/M: Ms

First Name: Heather

Middle Name: M

Last Name: Balgowan

Company: student

Street Address: 3205 Winter Street

City: Philadelphia

State: PA

Postal Code: 19104

Country: United States

Email Address: hmb25@drexel.edu

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*Mike Is
 pls. read
 and discuss
 Bob A
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Avaltroni, Robert

To: Radhakrishnan, Krish; Kelpin, Gerry
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Contact Info: Yes

M/M: Ms

First Name: Heather

Middle Name: M

Last Name: Balgowan

Company: student

Street Address: 3205 Winter Street

City: Philadelphia

State: PA

Postal Code: 19104

Country: United States

Email Address: hmb25@drexel.edu

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