

7 Doug Greeley
7 Al Lopez
7 Bob LaGrotta
7 Mark Hoffer
Con Ed
file



DEPARTMENT OF
ENVIRONMENTAL PROTECTION
1ST DEP. COMMISSIONER'S OFC.

2001 OCT -2 PM 3: 23

Randolph S. Price
Vice President
RECEIVED
Environment, Health & Safety

September 28, 2001

The Honorable Diana Chapin, Ph.D.
Deputy Commissioner
New York City Department of
Environmental Protection
59-17 Junction Blvd
Corona, NY 11368

Re: Follow-up to September 20, 2001 letter

Dear Deputy Commissioner Chapin:

In a letter to you dated September 20, 2001, I indicated that in our efforts to restore utility services in the wake of the September 11 attack on the World Trade Center, Con Edison Gas Operations had received approval from NYCDEP's Robert LaGrotta on September 16, 2001 to pump water from a gas main at West and Rector Streets into the street. At that time a total of approximately 75 gallons had been pumped. We indicated that we would keep track of any additional water pumped from that main. This is to advise you that subsequent to September 20, no additional pumping at the site occurred. Attached for your information are sampling results for the approximately 75 gallons of water pumped into the street from the gas main at West and Rector Streets.

Again, Con Edison greatly appreciates the prompt assistance offered by NYCDEP to effect a rapid restoration of utility services to the affected portions of lower Manhattan.

Very truly yours,

Randolph Price
Vice President
Environment, Health & Safety

Attachment

Page 1 of 1
9/26/2001

Consolidated Edison
Environment, Health and Safety ChemLab
NELAP NY Lab ID No: 10380

Lab Sequence Number: 01-09164-001
9/18/2001
E2 Incident Number:
9/17/2001
Chain of Custody ID: BB08032
9/17/2001

Date Approved:

Date Received:

Date Sampled:

Submitter: PHILIP A OCCHINO JR
Job Site: F/O 85 WEST ST
Email To: OCCHINOP@coned.com, DL - MN - LAB ANALYSIS,
Cc To: BASSOV@coned.com, KELLYK@coned.com,

NOTE: The Submitter shall post and/or provide these results to all employees working with or in the vicinity of this substance. This report shall not be reproduced, except in full, without the written consent of EH&S.
Test results are representative only of submitted samples.

=====
==
(TCLP) Benzene Analysis by EPA 602/8021B/1311
=====

==
MATRIX: LIQUID GRAB
DESCRIPTION: 12" PLASTIC GAS MAIN
LOCATION: F/O 85 WEST ST

TEST DESCRIPTION	RESULT	UNIT

--		
Benzene	0.25	ppm
602/8021B/1311		EPA

--		

Analyzed by: ENVIRONMENTAL TESTING LABS, INC.

Approval Status: APPROVED
Approved By: Jean Celestine
Title: SUPERVISOR

DEPARTMENT OF
ENVIRONMENTAL PROTECTION
1ST DEP. COMMISSIONER'S OFC.

2001 SEP 21 PM 12: 28

RECEIVED



Randolph S. Price
Vice President
Environment, Health & Safety

September 20, 2001

Mary Ellen Kris
Regional Director
NYSDEC Region II
47-40 21st Street
Long Island City, NY 11101-5407

Ephran Zolden
Deputy Regional Administrator
US Dept of Labor – OSHA
500 Route 17
Hasbrouck Heights, NJ 07604

Diana Chapin, Ph.D.
Deputy Commissioner
NYCDEP
59-17 Junction Blvd
Corona, NY 11368

Arlene Anderson
USEPA
2890 Woodbridge Avenue, Ms100
Edison, NJ 08837-3679

Dennison P. Cottrell, Director
Passenger & Freight Safety Division
State of New York
Department of Transportation
Albany, NY 12232

Mr. Howard Leadbetter
Federal Bureau of Investigation
(Via Fax 646-230-1520)

**Re: EH&S Agreements and Variances with Regulatory
Authorities—Supplement No. 1**

In the aftermath of the September 11, 2001 World Trade Center incident, Con Edison continues to take various actions to restore electric, gas, and steam service in the affected areas of lower Manhattan. In a September 13 letter to you, Con Edison provided a summary of the environmental, health and safety regulatory agreements reached and regulatory variances received, as of that date, from the appropriate federal, New York State, and New York City regulators. This letter corrects (with respect to Vehicle Decontamination) and supplements (with respect to Asbestos Projects, Emergency Diesel Generators, Gas Main Water Pumping, Oil Spill Notification, Diesel Generator Noise, Removal of Refuse, and DOT Hours of Service) Con Edison's September 13, 2001 letter.

Manhole Waste

In September 11, 2001 telephone conferences with each of Diana Chapin of the New York City Department of Environmental Protection ("NYCDEP") and Mary Ellen Kris of the New York State Department of Environmental Conservation ("NYSDEC"), NYCDEP and NYSDEC agreed that flush debris from Con Edison manhole work could be left on the street surface for subsequent disposal; that non-oily water in manholes could be pumped to the sewer; and that any

liquids in manholes with visible oil would be transported offsite. NYSDEC has requested and Con Edison has agreed to provide the Department with periodic updates on these activities.

Vehicle Decontamination (Revised September 20, 2001)

On September 11, 2001, Assistant NYCDEP Commissioner Michael Gelsenas advised Con Edison by telephone that Con Edison vehicle decontamination could take place in any designated "hot zone" without collecting the effluent from the decontamination procedure. On September 12, 2001, this procedure was also approved by Tom Kunkel of the NYSDEC in a conversation with a Con Edison Environment, Health, & Safety representative.

Asbestos Projects (Supplemented September 20, 2001)

On September 11, 2001, Con Edison was authorized by NYSDEC's Jeffrey Lindell, NYCDEP's Joseph Scafibe, and Ted Fish of the New York State Emergency Management Office to begin removal of coal tar wrap from underground Con Edison piping without satisfying the respective advance notification requirements for each agency. A summary report of these removal activities will be provided by Con Edison to the respective agencies subsequent to the conclusion of the present emergency.

On September 12, 2001, Con Edison wrote to Mr. Radhakrishnan of NYCDEP requesting a variance from NYCDEP notification requirements for removal of asbestos containing material in excess of 25 linear feet and from certain work practices (e.g. use of tents or glove bags). Due to the extreme emergency conditions, Con Edison indicated that it is operating as if this variance has been granted and will continue to do so unless instructed otherwise by the DEP. Con Edison specified the work practices it will follow in order to ensure protection of human health and the environment and to meet the intent of the regulations. A letter from NYCDEP confirming the variance was received by Con Edison on September 19, 2001.

OSHA Training (Supplemented September 20, 2001)

On September 12, 2001, Con Edison received authorization from U.S. Occupational Safety and Health Administration ("OSHA") Deputy Regional Administrator Zolden to follow training requirements in OSHA 1910 (General Industry) rather than OSHA 1926 (Construction) regarding asbestos training, thus reducing the 8-hour personnel training program that would otherwise be mandated by regulation. All other aspects of OSHA 1926 will be followed.

Emergency Diesel Generators (Supplemented September 20, 2001)

On September 12, 2001, Mr. Robert Mitrey of NYSDEC Region 2 verbally confirmed NYSDEC's approval for Con Edison to install emergency diesel generators in lower Manhattan. Also on September 12, NYCDEP Deputy Commissioner Avaltroni approved Con Edison's installation and operation of approximately 45 emergency diesel generators in lower Manhattan to temporarily support the loss of Con Edison's electric supply due to the World Trade Center incident. On September 18, 2001, NYCDEP's Deputy Director of Engineering, Ray Hodge, confirmed the agency's approval for Con Edison to install and operate approximately 100

emergency diesel generators in lower Manhattan. Con Edison indicated that it would work with NYCDEP staff to process the necessary applications as soon as reasonably possible.

Provisional EPA ID Number (Supplemented September 20, 2001)

On September 12, 2001, the U.S. Environmental Protection Agency ("USEPA") notified Con Edison that it would issue a single provisional identification number for the disposal of wastes from within the World Trade Center incident area for 30 days (until October 11, 2001).

Gas Main Water Pumping (added September 20, 2001)

On September 16, 2001, Con Edison Gas Operations received approval from NYCDEP's Robert LaGrotta to pump water from a gas main at West and Rector Streets into the street. So far, approximately 75 gallons have been pumped. Con Edison will keep track of the total amount pumped.

Oil Spill Notification (added September 20, 2001)

On September 17, 2001, the U.S. Coast Guard ("USCG") notified Con Edison that the Company's September 13, 2001 report to the National Response Center (also provided to NYSDEC) of the potential releases of oil and other substances associated with the September 11 World Trade Center incident would serve as notice for any subsequently discovered spills at or near that site. We were also notified on September 17 by NYSDEC Region II's Jane O'Connell, that NYSDEC concurs with the USCG's decision.

Diesel Generator Noise (added September 20, 2001)

Con Edison notes that the noise emissions associated with operation of its emergency diesel generators in lower Manhattan may exceed normal New York City Noise Code standards, but are authorized in accordance with the emergency provisions of the Noise Code (§ 24-243(b)(12)).

Removal of Excavated Materials (added September 20, 2001)

On September 17, 2001, Howard Leadbetter of the Federal Bureau of Investigation ("FBI") instructed Con Edison to send to the FBI's evidence collection center in Fresh Kills, Staten Island any Con Edison excavated materials that might contain debris from the World Trade Center buildings. The FBI directed that if Con Edison is uncertain if the excavated materials from Con Edison restoration work contain debris from the World Trade Center buildings, the debris should still be sent to Fresh Kills.

DOT Hours of Service (added September 20, 2001)

On September 11, 2001, the New York State Department of Transportation ("DOT") issued a blanket waiver from 17 NYCRR Part 824 regulations pertaining to Hours of Service for drivers of Commercial Motor Vehicles for any entities involved in the World Trade Center event. The exemption, which was due to expire on September 18, 2001, at 12:00 Noon, has been

extended until September 25, 2001 at 12:00 Noon. This waiver also applies to crews remaining in Westchester County who are conducting activities normally assigned to crews now engaged in World Trade Center related work.

Again, Con Edison greatly appreciates the prompt assistance offered by each of your agencies at this difficult time to effect a rapid restoration of utility services to the affected portions of lower Manhattan. Con Edison continues to take whatever measures are required to support the rescue and recovery effort currently underway. Please do not hesitate to call me if you require any additional assistance in your efforts.

Very truly yours,

A handwritten signature in cursive script that reads "Randolph Price". The signature is written in dark ink and is positioned above a horizontal line.

Randolph Price
Vice President
Environment, Health, & Safety