

⑤ World Trade Center



THE CITY OF NEW YORK DEPARTMENT OF HEALTH

Michael R. Bloomberg
Mayor

Thomas R. Frieden, M.D. MPH
Commissioner

MEMORANDUM

TO: Distribution

FROM: Wilfredo Lopez, General Counsel

SUBJECT: World Trade Center Vehicles

DATE: March 27, 2002

W. Lopez

Pursuant to discussions with Larry Kahn and Gabe Taussig of the Law Department, attached please find a draft letter from EPA which requires that we all meet A.S.A.P. Accordingly, my secretary will be attempting to schedule a meeting for the 28th floor of 59 Maiden Lane on Monday, April 1, 2002.

Distribution:

Law Department

Larry Kahn
Gabe Taussig
Steve Levy

Mayor's Office of Environmental Coordination

Alessandra Sumowitz

Office of Emergency Management

Sam Benson

Department of Sanitation

Leslie Allan
Frank Valentino

Department of Environmental Protection

Mark Hoffer

Department of Health

Jim Miller
Kelly McKinney
Jeanine Prudhomme

214193



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION II

200 BROADWAY

NEW YORK, NEW YORK 10007-1666

D

Honorable John Doherty
Commissioner
Department of Sanitation
City of New York
125 Worth Street
New York, N.Y. 10013

R

Re: Vehicles Affected by Dust from World Trade Center Collapse

Dear Commissioner Doherty:

On March 21, 2002 the U.S. Environmental Protection Agency Region 2 (EPA) hosted a meeting with representatives from your Department and several other agencies including the New York City Department of Health (NYCDOH), the Mayor's Office of Emergency Management, the New York City Department of Law, the New York State Department of Law and the Federal Bureau of Investigation. The purpose of the meeting was to discuss the appropriate disposition of vehicles currently held by the City that may have been affected by dust from the collapse of the World Trade Center (WTC).

We understand that the Department of Sanitation (NYCDOH) has approximately 708 such vehicles stored at the Fresh Kills Landfill. We learned that NYCDOH has sent letters to the owners of these vehicles asking if they want their vehicle back and received positive responses on 68 of these vehicles. Of those, 62 of the responses were from insurance companies, three were from individuals and three were from leasing firms. We are aware that it is your intent to begin to release these vehicles in the near term. The owners of the vehicles were to be given the NYCDOH guidance on vehicle cleaning and advised to follow it. We appreciate the fact that the City, based upon the concerns we have raised previously, agreed to delay the process to allow further discussions to take place. (We understand that the Port of Authority of New York and New Jersey also has custody of approximately 500 vehicles affected by WTC dust, but apparently has no immediate plans to release them. We will be communicating separately with the Port Authority regarding the ultimate disposition of those vehicles.)

We are aware that the City's testing of bulk dust from and air sampling in recovered emergency service vehicles showed only limited levels of asbestos contamination. We are also in agreement with the City that the 708 stored vehicles would have to be thoroughly cleaned

92324627 P.02/03

TO

MAR-26-2002 16:17 FROM US EPA REGION 2 ORC

Mar 27 2002 9:34 P.02

Fax:212-252-4627 Corporation Counsel

DOH

Fax: 212-9412295

Mar 27 2002 16:07

P.03

M.D. 03/27

before being used again, because they were exposed to the WTC dust plume that contained asbestos, cement dust and other contaminants. The cleaning that would have to be done should follow the aggressive inspection and cleaning procedures included in the NYCDOH document entitled *Information for Agencies - Additional Cleaning for City Vehicles Involved in the WTC Response*. After more than six months in storage many of these vehicles are likely to contain imbedded dust that has hardened and encrusted on various vehicle surfaces. Literally hundreds of vehicle parts – both mechanical and internal, including seats, carpeting and all fabric – would probably have to be removed for cleaning in order to reduce the risk to the public from the caustic cement dust and other potentially hazardous materials present in the dust.

We do not believe it would be prudent to release these vehicles to the current owners in their current condition. Before any release to the owner, the City should require that the owner arrange to have the vehicle sent directly to a certified professional asbestos cleaning company. Only after the City receives documentation from the cleaning company certifying to the City and to the owner that a satisfactory, thorough cleaning was performed should the vehicle be released to the owner. (We also recommend that the cleanup company include within this certification that cleanup workers wore air-purifying respirators with P100 filter cartridges while cleaning, as specified in the above-cited NYCDOH document.) For those individuals who may not have the funds to have this cleaning conducted, EPA will inquire with the Federal Emergency Management Agency (FEMA) to find out whether any financial assistance for this purpose may be available.

We make the recommendations in this letter in order to protect the current vehicle owner, the cleaning personnel and any third party individuals who may ride in or purchase these vehicles in the future. If the City disagrees with any of our recommendations it is important that I be notified immediately and in advance of any alternate action releasing these vehicles.

If my staff can provide any assistance to you on this issue or you would like to discuss this matter further with me, please call me at 212-637-5000.

Sincerely yours,

Jane M. Remy
Regional Administrator

92324627 P.03/03

TO

Mar 27 2002 9:35 P.03

MAR-26-2002 16:17 FROM US EPA REGION 2 ORC

Corporation Counsel Fax: 212-252-4627

Mtg on WTC Cars 4/11/02

<u>Name</u>	<u>Agency</u>	<u>Tel #</u>	<u>Fax #</u>	<u>E-Mail Address</u>
Larry Kahn	Corp Counsel			
Elizabeth Rogak	DEP Legal			
Gabriel Trossig	LAW			
Karen Selvin	LAW			
JIM MILLER	HEALTH			
VINCENT Coluccio	HEALTH			
Lee Ilan	MOEC			
STEVEN LEVI	LAW			
Kelly McKinney	DOH			
Alessandra Sumbwa	MOEC			
Wilfredo Lopez	DOH			
LAI-SUN YEE	OEM			
Jim Alexander	OEM			
Michael Mucci	DOS			
Leslie Allan	DOS			

PII

DOS - 12-1400 cars -
shredding.