

DEPARTMENT OF ENVIRONMENTAL PROTECTION
59-17 Junction Boulevard
Corona, New York 11368-5107

LOG NO. _____

RETURN BY _____

TO: Russ P

- ☐ For Immediate Action/Urgent
- ☐ For Appropriate Action
- ☐ Draft response for my signature
- ☐ Draft response for Commissioner's signature and return to me
- ☐ Discuss with me
- ☐ For your comments
- ☐ For your information

Remarks: Per an conversation.
Please advise M.H. J of
your recommendation of
whether this material is
subject to FOIL.

C:MH

Robin M. Levine
Deputy General Counsel
(718) 595-6586

DATE SENT: 2/26/02



MICHAEL GILSENAN, ASSISTANT COMMISSIONER
BUREAU OF ENVIRONMENTAL COMPLIANCE
 59-17 Junction Boulevard, 11th Floor
 Corona, New York 11368-5107
 (718) 595-4543
 (718) 595 4544 (fax)

Date: 2/22/02

Log: _____

To: Robin LeVire - Legal
 Re: WTC Asbestos Information

- ☐ Urgent ☐ Per our conversation
☐ For your information ☐ Draft response for my signature
☐ For appropriate action ☐ Draft response for the Commissioner's signature
☐ For comment ☐ Respond/copy me

Comments: Robin, I know Russel & Marie have taken a look at this issue. Charlie thinks otherwise. I believe DEP needs to take a deeper look into it. This issue is fairly hot right now. Any help that you or Mark can give is appreciated. Any help mba needed. Plo call Thanks C. BA

CAPITAL

PROPERTIES

DAVID A. PARISIER
MANAGING DIRECTOR

BY FACSIMILE & MAIL

February 22, 2002

Mr. R. Radhakrishnan, PE
Director
Asbestos Control Program
Department of Environmental Protection
59-17 Junction Boulevard
Corona, NY 11368-5107

RE: 111 Broadway, 2-10 Thames Street, 91-95 Trinity Place
& 115 Broadway, New York, NY

Dear Mr. Radhakrishnan:

Please find attached additional information pertaining to our submission of information on February 21, 2002 in response to your request for information of February 12, 2002 regarding the above referenced buildings.

Please find enclosed the following additional documentation:

1. The results of additional air quality monitoring performed by AKRF, Inc. at the subject properties.

We request that DEP treat all the information disclosed herein as exempt from public review under the the Freedom of Information Law (FOIL) because such information falls within the exemption enumerated in Public Officers Law Section 87(2) (d) in that the information is, "submitted to an agency by a commercial enterprise ... which if disclosed would cause substantial injury to the competitive position of the subject enterprise.

We and our consultants are available to answer any further questions that you may have regarding the enclosed.

Very truly yours,

TRINITY CENTER LLC
By: CAPITAL PROPERTIES NY LLC, as agent

By: 
David A. Parisier

Capital Properties Associates, L.P.

527 Madison Avenue, New York, NY 10022 • Phone: 212.980.0090 • Fax: 212.980.5669

5. Findings and Conclusions

Twelve (12) initial background air samples were collected and analyzed at building 400. Twelve (12) samples were analyzed via phase contrast microscopy (PCM) and two (2) were analyzed via Transmission Electron Microscopy (TEM). All were below the permissible limits.

Based on EPA Guidelines, we collected one hundred fifty-eight (158) bulk samples and analyzed them via Polarized Light Microscopy (PLM) Methodology. One (1) sample collected from one apartment was found to be slightly above the regulatory limits of 1%. Zero (0) were found to be above the regulatory limits upon further analysis at a second laboratory for quality control purposes. However, certified asbestos abatement contractors hired independently by the owner, were used to clean the specific apartment and the areas were cleared by ALC via TEM air sampling. All air samples were found to be well below the permissible limits and the tenants where this cleaning took place have been notified of the clearance.

One hundred seventy (170) air samples were collected and analyzed via TEM Methodology. The results indicated that the living areas achieved the acceptance criteria below <70 structures per mm² set by the above regulations.

6. Limitations and Exclusions

All the professional opinions presented in this report are based solely on the scope of work conducted and sources referred to in our report. The data presented by ALC in this report was collected and analyzed using generally accepted industry methods and practices at the time the report was generated. This report represents the conditions, locations, and materials that were observed at the time the fieldwork was conducted. No inferences regarding other conditions, locations, or materials, at a later or earlier time may be made based on the contents of the report. No other warranty, express or limited is made. ALC's liability and that of its contractors and subcontractors, arising from any services rendered hereunder, shall not exceed the total fee paid by the client to ALC for this project. This report was prepared for the sole use of our client. The use of this report by anyone other than our client or ALC is strictly prohibited without the expressed written consent of ALC. Portions of this report may not be used independent of the entire report.