

Hoffer, Mark

From: Sevier, Adrian [Adrian.Sevier@fema.gov]
Sent: Tuesday, June 11, 2002 11:56 AM
To: 'markh@dep.nyc.gov'
Cc: Gair, Brad
Subject: Downtown Cleaning - 6/7/02 Draft Letter

Mark, the last version you faxed to me, the one dated 6/7/02 adding the economic statistics, is acceptable. Thanks.

Adrian Sevier
FEMA
Office of General Counsel
500 "C" St., SW
Washington, DC 20472
(202) 646-3696

FEMA Federal Recovery Office
80 Centre St., 3rd Floor
New York, NY 10013
(212) 693-7490

DRAFT- ~~6/6/02~~ 6/7/02

[DATE]

Mr. Brad Gair
Federal Emergency Management Agency (FEMA)
26 Federal Plaza
New York, New York 10278

Dear Mr. Gair:

The collapse of the World Trade Center (WTC) towers on September 11, 2001 resulted in the depositing of dust and debris on and/or in many buildings in lower Manhattan. Recent inspections of building exteriors near the WTC site revealed that, while many of the buildings are now free of debris, other buildings still have visible deposits of material from the WTC collapse.

The City of New York believes that it is in the public interest to remove this material from the exterior of buildings in the vicinity of the WTC site. Samples collected during the inspections indicate that asbestos may be present in some of the debris. Long-term exposure to elevated levels of airborne asbestos can, in certain circumstances, cause health-related problems. The removal of this material will thereby protect against any adverse effects on air quality or public health and safety.

In addition to removal of debris from building exteriors, area residents have expressed concerns about the possible presence of debris or dust in their homes, which is perceived as a health concern. While some interior spaces have been cleaned by building owners or residents, others have not. The City believes that it is also in the public interest to institute a program of cleaning interior residential spaces, to prevent asbestos (if present) from becoming airborne, and to provide assurance to residents that their concerns are being addressed.

By any measure, the events of September 11 have had a major negative impact on the City's economy in general, and on Lower Manhattan in particular. The City is forecasting a decrease in tax revenues of more than \$3.1 Billion between August 2001 and April 2002, of which at least \$650 Million is directly attributable to the events of September 11, including destruction of real property, closure of businesses, and a decline in tourism and tourism-related industries. The attacks on the World Trade center destroyed or damaged nearly 30 million square feet of office space, or almost 30% of the Class A space available downtown. Perhaps, most importantly, residential occupancy rates fell dramatically following the attack, by almost 40%, leaving Lower Manhattan without much of its vital 24-hour community.

Lower Manhattan is the financial capital of the world, and its revival is therefore critical not only to the City but to the nation as a whole. Anecdotal evidence suggests that confidence in the area's environmental safety – especially with regards to its air quality – is a primary concern for many

area business executives. The exterior cleaning program outlined above seeks to address these concerns. ~~We hope that~~ These efforts will play an important part in the City's ongoing efforts to retain and attract area businesses.

~~As you well know~~ In addition, as noted above, Lower Manhattan is also home to a growing residential community, which plays an important role in the economic health of the area as well. One of the most important issues that has been raised by local residents, in terms of staying in the area or returning to it, is the quality of the environment. ~~We hope that~~ The programs outlined above will be an essential part of the City's efforts to encourage residents to continue living there and contributing to the economic and social vitality of the area.

The City must also communicate these active steps that are being taken to maintain the confidence of businesses, employees, and residents in the area's environmental safety. These programs reflect the effort of the City and the EPA to address these concerns and to maintain public confidence in Lower Manhattan, and as such are absolutely essential to the area's revival and long-term economic health.

The City therefore requests that FEMA provide the necessary funding for the hiring of contractors to perform the cleaning and/or testing of building exteriors and interior residential spaces in lower Manhattan, as appropriate.

Very truly yours,

NEW YORK CITY DEPARTMENT OF
ENVIRONMENTAL PROTECTION

NEW YORK CITY DEPARTMENT OF
HEALTH

By _____
Christopher O. Ward, Commissioner

By _____
Title:

NEW YORK CITY ECONOMIC
DEVELOPMENT CORPORATION

By _____
Title:

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***** -COMM. JOURNAL ***** DATE JUN-07-2002 ***** TIME 12:34 *** P.01

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FILE NO.= 093

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**Department of
Environmental
Protection**59-17 Junction Boulevard
Flushing, New York
11373-5108**Christopher O. Ward
Commissioner****Mark D. Hoffer
General Counsel
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Affairs**Tel (718) 595-6555
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www.d.nyc.ny.us/dep**FACSIMILE TRANSMISSION****TO:** ADRIAN SEVIER (FEMA)
FAX #: 212-693-7489**FROM:** Mark D. Hoffer**TELEPHONE #:** (718) 595-6528
FAX #: (718) 595-6543**DATE:** 6/7/02**TOTAL PAGES** (including this cover page): 3**Comments:**Revised draft of letter, with facts
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The City of New York
Department of Environmental Protection

59-17 Junction Boulevard
 Flushing, New York
 11373-5108

Christopher O. Ward
Commissioner

Mark D. Hoffer
General Counsel
Bureau of Legal Affairs

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TELEPHONE #: (718) 595-6528
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MODE = MEMORY TRANSMISSION

START=JUN-07 12:44

END=JUN-07 12:45

FILE NO. = 097

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Commissioner**

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FACSIMILE TRANSMISSION

TO: BRAD GAIR (FEMA)
FAX #: ~~212-646-1890~~ 646-746-1890

FROM: **Mark D. Hoffer**

TELEPHONE #: (718) 595-6528

FAX #: (718) 595-6543

DATE: 6/7/02

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Comments: REVISED LETTER. IT
HAS ALSO BEEN FAXED TO
ADRIAN SENIER OF YOUR LEGAL STAFF.

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