

DRAFT-5/29/02

⑤ WORLD TRADE
CENTER -
FEMA Letter

[DA

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.

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. The efforts outlined above will encourage area businesses to stay in or return to the downtown area, and encourage residents to continue living there and contributing to the economic and social vitality of the area. This, in turn, will strengthen public confidence in the future of lower Manhattan and expedite and enhance the economic revitalization of the area.

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

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Federal Emergency Management Agency (FEMA)
26 Federal Plaza
New York, New York 10278

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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:

letl.wpd

DRAFT

DRAFT-5/24/02

[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 present in some of the debris. Long-term exposure to elevated levels of airborne asbestos can, in certain circumstances, cause health-related problems ~~[including respiratory ailments]~~. The removal of this material will assure that it will not become re-entrained in the air in the future, thereby protecting 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.

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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

By _____
Christopher O. Ward, Commissioner

NEW YORK CITY DEPARTMENT OF
HEALTH

By _____
Title:

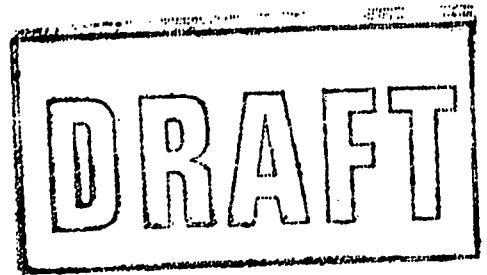
NEW YORK CITY ECONOMIC
DEVELOPMENT CORPORATION

By _____
Title:

let1.wpd

May 23, 2002

Brad Gair
Federal Emergency Management Agency
26 Federal Plaza
New York, NY 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 buildings near the WTC site have revealed that, while many buildings are now free of debris, other buildings still have visible deposits of material from the WTC collapse. In addition, area residents have expressed concern over the presence of dust and debris from the collapse in their homes, which is perceived as a possible health concern.

The City of New York believes that it is in the public interest to remove this material from interior and exterior spaces 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. Elevated levels of airborne asbestos can, in certain circumstances, cause health-related problems, including asbestosis, lung cancer and mesothelioma. The removal of this material will assure that it will not become re-entrained in the air in the future, thereby protecting against any adverse effects on air quality or public health and safety.

These efforts will encourage area residents to remain in lower Manhattan and area businesses to re-open or return to their downtown locations. This will reinforce the confidence of area residents and workers and therefore expedite and enhance the economic revitalization of lower Manhattan.

The City of New York therefore requests that FEMA provide the necessary funding for the hiring of contractors to perform the cleaning and/or testing of interior and exterior spaces, as appropriate.

New York City Department of Environmental Protection

Christopher O. Ward, Commissioner

New York City Department of Health

By:

New York City Economic Development Corporation

EPA DRAFT

Joseph Picciano
Acting Regional Administrator
Federal Emergency Management Agency
26 Federal Plaza, Room 1307
New York, New York 10278

Dear Mr. Picciano:

I appreciate your attention and support on the indoor air related issues we have been discussing.

Individuals living in spaces that contain World Trade Center-related debris/dust may have an increased long-term risk of exposure to asbestos. This potential risk will be reduced by thoroughly removing the debris/dust in the residential units. Therefore, we believe it is necessary to offer professional cleaning and testing to residents of Lower Manhattan who are concerned about debris/dust. Additionally, since the Heating, Ventilation, Air Conditioning (HVAC) systems in buildings could potentially be conduits for reintroducing polluted material into residential units from exterior sources, we believe it is important to better understand the mechanisms of potential exposure route in order to determine if additional protection measures are warranted.

EPA has identified the remaining uncleaned buildings near the WTC site as a source of potentially contaminated material. With the nearing completion of the WTC site clean up and the anticipated restoration activities, it is essential these buildings need to be professionally cleaned to prevent the possible introduction of asbestos and other pollutants into the environment or into the nearby buildings. This clean up activity must be undertaken immediately to assure that all potential environmental risks are addressed as the area is reopened..

Given these concerns, I believe we are appropriately targeting our joint federal, state and city efforts to develop programs which provide added support to the people in Lower Manhattan. Please contact me if you have any questions at 212-637-5000.

Sincerely,

Jane Kenny
Regional Administrator

⑤ WORLD TRADE CENTER-
FEMA LETTER**Hoffer, Mark**

From: Hoffer, Mark
Sent: Tuesday, June 04, 2002 4:21 PM
To: 'lblatchford@cityhall.nyc.gov'
Subject: FW: Lower Manhattan - FEMA - Building Clean Up

re-sending in case it didn't come through.

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

From: Hoffer, Mark
Sent: Tuesday, June 04, 2002 3:04 PM
To: 'lblatchford@cityhall.nyc.gov'
Subject: Lower Manhattan - FEMA - Building Clean Up

PRIVILEGED AND CONFIDENTIAL
ATTORNEY/CLIENT COMMUNICATION

Laurel:

As I indicated, I've been helping Bob Avaltroni clear up some legal details pertaining to the Lower Manhattan building clean-up programs being contracted for by DEP but led by EPA and funded by FEMA:

- a) cleaning debris from building exteriors on certain buildings
- b) testing (if requested) and removal of asbestos (if present) from the interior of residential apartments.

FEMA has asked for a letter for its files, justifying the advance of federal emergency dollars to the City. We previously sent a letter to Brad Gair some weeks back on the building exterior program. FEMA now wants a new letter covering both programs.

FEMA initially wanted language to the effect that certain health risks would ensue if the programs did not go forward (including language describing illnesses associated with long-term exposure to asbestos). DEP and the Law Department were uncomfortable with this. We felt it painted an unfair and inaccurate picture of the current situation downtown. We also felt it unfairly subjected the City to legal risk if the City went ahead and assisted EPA (as we are doing) by serving as the procuring agency for these programs.

After several discussions with FEMA's attorney (Mary Ellen Martinet), FEMA appears to have backed off and is willing to accept our most recent draft letter (attached below), without the language FEMA originally sought. Instead, FEMA has asked if we can give some additional details on the economic development importance of the clean-up programs (e.g., "9/11 caused several major employers --- such as X and Y, to move out of downtown (and in some cases out of the City), resulting in a loss of approximately Z jobs in the financial sector, a key component of the City's economy. The programs are necessary to strengthen public confidence in the revival of downtown Manhattan, which in turn is critical to induce such firms to return, or to attract new firms who will restore jobs and associated spending to the downtown area [I made this up based on suggestions the FEMA attorney made to me]).

If you or your colleagues can give me some basic facts and figures, or can cut and paste language of this type we have used before in communications with FEMA, I think we can wrap this up fairly quickly. Please advise. Thanks.

MARK HOFFER
General Counsel, NYCDEP
tel: 718-595-6528
fax: 718-595-6543
e-mail: markh@dep.nyc.gov



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