



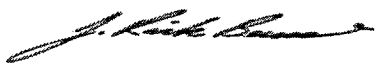
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OFFICE OF
INSPECTOR GENERAL

June 16, 2003

MEMORANDUM

SUBJECT: Excerpts from Draft Evaluation Report:
EPA's Response to the World Trade Center Collapse: Lessons Learned
Assignment No. 2002-0000702

FROM: J Rick Beusse 
Director for Program Evaluation, Air Quality Issues

TO: Robert C. Avaltroni
Deputy Commissioner, Bureau of Environmental Compliance
Department of Environmental Protection

Attached are excerpts from a draft evaluation report regarding the Environmental Protection Agency's (EPA's) response to the World Trade Center collapse, conducted by the EPA Office of Inspector General (OIG). These excerpts contain information about your department. These excerpts are subject to revision by the OIG and, therefore, will not necessarily appear in the final report as they are now worded.

These excerpts are being provided to you so that you may have the opportunity to comment on the factual accuracy of the information and provide any additional information or documentation you may want us to consider. We expect to issue our final report in July, 2003. In order for us to incorporate your comments into the final report, we request that you provide your feedback by June 27, 2003.

If you have any questions, please contact me (919-541-5747) or Chris Dunlap (919-541-1029).

Thank you for your assistance.

Excerpts from Background Section of the Draft Report

D R A F T

Early Response

Various circumstances complicated the Government's and EPA's ability to respond to environmental concerns in what was an unprecedented and extremely difficult situation. The New York City Office of Emergency Management's Emergency Operations Center was destroyed in the attacks. EPA's Region 2 office, about a half-mile from the WTC site, was evacuated and not re-opened until 2 weeks after the attacks. Electrical power was lost in Lower Manhattan, as well as radio, telephone, and satellite communications. Further, transportation to Lower Manhattan was restricted and air travel was halted nationwide.

As with most disasters, local authorities were the first responders. "Ground Zero," as the seven-building WTC area site would become known, was initially a search and rescue effort under the direction of the Fire Department of New York and, subsequently, a recovery operation under the jurisdiction of the New York City Office of Emergency Management. During the recovery phase, which began November 1, 2001, the New York City Department of Design and Construction and the Fire Department of New York were co-incident commanders. According to New York City's Deputy Assistant Chief of the Fire Department, "the complexity of the activity performed at one site – rescue, recovery, demolition, and construction – at one time is unprecedented." Immediate response actions to save lives and meet basic human needs took precedence over other considerations, such as characterizing the site's environmental conditions. Further complicating the situation was the fact that the area was treated as a crime scene, with law enforcement authorities strictly limiting access.

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Excerpts from Chapter 3 of the Draft Report**Initial Actions Taken by New York City and EPA**

In the immediate aftermath of the disaster, EPA undertook several activities to address various issues related to indoor air. However, according to EPA documentation, New York City officials stated on September 30, 2001, that the City would not be requesting assistance from EPA regarding residential sampling or reoccupation issues, or roof debris cleanup. According to EPA Region 2 officials, since the City declined EPA's offer of assistance on cleaning issues, EPA did not want to force itself into a lead agency role. Further, EPA Region 2 officials told us that a more assertive stance from EPA would have caused a level of confrontation that might have been counterproductive to the overall effort. *which officials*

New York City's Initial Response to Indoor Contamination

New York City officials held building owners responsible for cleaning up their own buildings, including interiors and exteriors. In general, landlords of rental units were responsible for cleaning apartment walls, ceilings, and floors; common areas, such as hallways and lobbies; and heating, ventilation, and air conditioning (HVAC) systems. Renters were responsible for cleaning their personal belongings. In the case of resident-owned condominiums, residents were responsible for cleaning their units, while building owners were responsible for cleaning common areas and HVAC systems.

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Table 3-1 notes three key instructions New York City provided to building owners and residents regarding the potential for indoor contamination resulting from the collapse of the WTC towers and steps for cleaning the indoor contamination:

Table 3-1: Actions by New York City

Date	Key Statement
09-16-01	The New York City Department of Environmental Protection (NYCDEP) issued a "Public Notice" flyer to building owners that discussed building maintenance issues. The notice stated that building owners/managers should have possible contamination problems reviewed by competent professionals. NYCDEP officials said the notice was not mailed or included in any newspaper, but was distributed by hand in Lower Manhattan by NYCDEP inspectors (see Appendix M for a copy of the notice).
09-17-01	NYCDOH issued a press release that recommended that individuals reentering their residences and places of work remove dust by using a wet rag or wet mop, and vacuum with a HEPA (high efficiency particulate air) filtration vacuum. If a HEPA vacuum was not available, the press release recommended using HEPA bags or dust allergen bags with a regular vacuum cleaner. (see Appendix N for a copy of the press release).
10-25-01	NYCDEP described benchmarks and guidelines used to evaluate environmental conditions in a letter to Lower Manhattan residents dated October 25. In regard to cleaning indoor spaces the letter stated: "If more than 1 percent asbestos was found and testing and cleaning was necessary, it had to be performed by certified personnel." In addition, the statement indicated landlords should not reopen any building until a competent professional had properly inspected their building. The City's Asbestos Abatement Program requires that building owners file a written notification with the NYCDEP for asbestos abatement projects that do not require plan or permit approval from the City's Buildings Department. NYCDEP officials told us this notification applied to buildings owners who found more than 1 percent asbestos in the dust in their buildings (see Appendix O for a copy of the instructions).

NYCDEP officials told us they did not conduct a certification program to determine the level of compliance with their instructions regarding the testing and cleaning of asbestos inside buildings. Beginning in September 2001, they said they began visually inspecting the exteriors of over 1,000 buildings and identified 324 buildings with visible dust. NYCDEP officials told us that 90 of these 324 building exteriors were subsequently cleaned by the building owners and the remaining owners stated they could not afford to clean their buildings. These remaining owners were eligible to have their buildings cleaned by NYCDEP with funding provided by FEMA.

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In order to determine the extent of indoor contamination in Lower Manhattan residences, the NYCDOH and ATSDR initiated an indoor air study in November 2001. The sampling phase was completed in December 2001, and the final report was issued by ATSDR in September 2002. The results of this study are discussed later in this chapter on page 36

[Evaluator's Note: a DEP "Public Notice" about WTC, dated September 16, 2001, is included in its entirety as an exhibit to the draft report.]

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