



Christopher O. Ward
Commissioner

Log # 2002-0849

Date _____

Due Date _____

TO: Bub Walton, Mike Giesen, 11th, Krish Radhakrishnan
RE: _____
XC: _____

- | | |
|---|---|
| A. () Submit Written Comments | G. () Represent me |
| B. () Handle-Report Outcome by Memo | H. () Prepare Reply for My Sig. |
| C. () Coordinate-Report Outcome by Memo | I. () Reply Directly-Copy for me |
| D. () Talk to me About This | J. () Draft for City Hall as Noted |
| E. () Per our Discussion | K. () ☒ F.Y.I & File |
| F. () Take Appropriate Action (No Need to Report Back) | |

() Additional Remarks _____

See esp bottom of p.2

6/3/02 talk!

File Copy _____

NOTE: Please Note Log# or other referred reference, whenever submitting Response, Comments, Reports, Copies, etc.

INDEPENDENCE PLAZA TENANT ASSOCIATION

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July 18, 2002

Memo to: Mary Mears, U.S. Environmental Protection Agency
From: Diane S. Lapson, Chair IPNTA Environmental Committee:
Subject: Post-9/11 Cleanup of Independence Plaza North (IPN)

Copies to:

U.S. EPA Region II: Jane Kenny, Region II Administrator;
Kathleen Callahan, Deputy Administrator;
Bonnie Bellows, Spokesperson Region II, Director Comm.
Erin M. Crotty, Commissioner NYS DEC
Christopher O. Ward, Commissioner, NYC DEP ✓
Gov. George Pataki
Mayor Michael Bloomberg
Congressman Jerrold Nadler
Senator Charles Schumer; Senator Hillary Clinton
N.Y. State Senator Martin Connors; N.Y. State Senator Tom Duane
N.Y. State Assembly Member Deborah Glick;
City Councilmember Allan Gerson
Acting Regional Director FEMA, Joseph F. Picciano, (Reg.II)
Deborah Dolan, Manager, Independence Plaza North
Sudhir Jain, President, World Trade Center Residents Coalition
IPN Tenant Association Executive Board

Thank you for getting back to me via telephone. This is a follow up memo outlining my understanding of our conversation and including additional comments from the Independence Plaza North Tenant Association (IPNTA). I have also included a copy of our original letter to you for reference.

Rather than have a phone conversation about the following points, the IPNTA Environmental Committee would like to meet with you and EPA representatives authorized to make decisions about these issues. By copy of this letter, we are also asking IPN manager Deborah Dolan to attend this meeting. We believe it would be most convenient for everyone if the meeting were held at 9:30 AM on a Monday through Thursday, and that it would be best held at IPN, where you and your staff can see the layout of Independence Plaza. We would very much appreciate if Ms. Dolan would allow us to use the management office for this meeting.

In reference to the 6th paragraph of our original letter regarding the asbestos reading of 28.74S/mm2 in at least one hallway at 310 Greenwich Street: You explained that the hallways will be cleaned as part of the "common areas" during the "whole building" cleanup. After further discussing this issue with our board, we must raise an additional, urgent concern. The managing agent of IPN has begun replacing old (pre 9/11) carpeting in the hallways of the complex. This work began after 9/11. To date, the carpeting near the elevators in all the tower buildings has been replaced

with ceramic tile, and, in addition, at 80 North Moore Street, the remainder of the old carpeting has been replaced with new carpeting. The remaining old carpeting in the other buildings is going to be replaced in the near future.

The work on this project has thus far been done in an unprotected, hence possibly dangerous manner, allowing the dust from the old carpet being torn up to seep into tenants' apartments, under and around their doors. In light of the unacceptably high asbestos level found in the hallway in the 310 building; the large amount of World Trade Center dust that, for many months, daily blanketed our buildings and streets from the Pier 25 barge operation; and the fact that carpeting is known to retain a high level of contaminants, even after HEPA vacuuming, we believe that this situation presents a very serious health risk to IPN residents.

We request that, as part of the EPA whole-building cleanup, the remaining carpet removal at IPN be done under the supervision of the EPA in a safe and controlled manner, according to EPA's standards and protocols for handling hazardous materials. We further request that EPA direct an asbestos abatement of the hallway floors, ceilings and walls — prior to the installation of new carpet. At 80 North Moore Street, where the carpet replacement has been completed, we ask that the EPA test the new carpeting on several different floors, utilizing the ultrasonication method. We ask that EPA also test, at the same time, the floor beneath the carpeting, especially where the floor meets the wall, using the micro-vac method and TEM analysis. This is the most urgent of our requests, since IPN management might order this work resumed at any time.

At the first meeting of the EPA with the 9/11 Environmental Action Coalition, EPA representatives said that terraces are considered a part of an apartment and would be cleaned in the individual apartment cleaning. What was not discussed was cleaning the outside of apartment windows. We are concerned because some IPN apartment windows have brownish dust on their exteriors and many tenants are afraid to open their windows. Even where the windows have been cleaned, we are certain that the window tracks contain hazardous dust from the trade center dust storm and the months-long barge operation. Just this month, one 4th floor tenant facing Harrison Street had clumps of dust fly into her apartment when she attempted to open her windows.

At your suggestion, we are contacting the DEP to request a report on the rooftops of all IPN buildings. We are also requesting that DEP work with EPA to develop a coordinated process for the testing and cleaning of our buildings, including the windows, since, if the exteriors of the buildings are cleaned after the interior cleaning of individual apartments and the common areas, the buildings will simply become re-contaminated.

We do not feel that EPA's and DEP's planned method of visual inspection will adequately assess the condition of our buildings. Based on the illnesses that have plagued IPN residents since 9/11 (constant respiratory, sinus, bronchial, skin rashes, eye infections, headaches, etc.), we believe there is a need to do a thorough cleaning of the entire complex, and that the need to clean exteriors must be based on stringent, comprehensive testing, not merely visual inspection.

In regard to the cleaning of ventilation systems, you said that the EPA would

request an HVAC specialist to inspect the ventilation systems at IPN as part of the whole-building cleanup. We believe all ventilation systems need to be examined and cleaned or re-cleaned by certified duct cleaners using state-of-the-art technology. Many apartments had some management-ordered cleaning of their bathroom vents but the cleaning was not done in an organized manner, leaving many vents uncleaned, and reports from tenants indicate that the cleaning that was done was far from adequate. In many bathrooms, black soot is still coming in from the vents.

Many tenants at our general tenants' meeting were concerned about mercury and lead, as well as other metals. In our conversation, you said that the EPA would be doing at least 200 wipe sample tests for metals at IPN and if the results showed elevated levels, the scope of the cleanup would be altered to address the situation. You also stated that:

- * EPA would consult with metal specialists.
- * Apartment cleaning would include wet wiping of hard surfaces and HEPA vacuuming, including the cleaning of books and other household items.
- * Clothing would be the responsibility of the tenants.

Our Environmental Committee has requested that we inform you of two additional concerns not included in our last letter:

- * How will the EPA address the cleaning/testing of room air conditioning units? Some tenants have not replaced their units or had them professionally cleaned and, since the units are likely reservoirs of contamination, we feel that they should be included in the apartment cleanup. (We have reports from many tenants that when they remove their washable filters from the airconditioners, they are loaded with almost fur-like dust which accumulates in a mere week of use.)
- * The Independence Plaza North complex includes three towers, adjoining townhouse apartments, a public school and commercial spaces. P.S. 150 is housed in the plaza area between 310 Greenwich Street and Harrison Street. Additionally, a large supermarket, The Food Emporium, is on Greenwich Street, approximately at Duane Street. There is a small business alongside the entrance to 310 Greenwich Street. There are many garages on Greenwich Street and Harrison Street, within the IPN buildings. On Greenwich Street between Harrison and N. Moore, there are three commercial spaces serving food; a dog daycare center; a dry cleaner, nail salon and photo shop. To our knowledge, none of these spaces have had proper cleaning. We are especially worried about the commercial spaces dealing with food. We were told that The Food Emporium passed a Department of Health test before it re-opened, but as far as we know, the space was not tested for environmental hazards resulting from the 9/11 attack. Because the smoke and debris from the attack completely surrounded 310 Greenwich Street, there is a very possible contamination situation in the very place that most Tribeca residents do their food shopping.
- * What can the EPA do to assure that proper cleanup is done in all of these businesses, in case the businesses do not show an interest in cooperating with the full building cleanup?
- * Will the EPA coordinate cleanup of P.S. 150 with the full-building cleanup?

Until last month, the Montessori School was renting space in the basement of 40 Harrison Street. There is a pool on that level. We heard from an employee of the

Montessori School, before it closed, that there was a mold problem in the pool area. We would like this situation assessed and abated during the full building cleanup as well.

At the first EPA-9/11 Environmental Action Coalition meeting, the EPA informed everyone that mailings to residents in Lower Manhattan, and an advertising campaign, would commence shortly after the hot line number was made available to the public. To date, the tenants of IPN have not received any mailings from the EPA educating them and suggesting that they call for an individual apartment cleanup. Nor have we seen any advertising posted at bus-stops or phone booths, as stated at that meeting. When is this to begin? It is urgent that the residents immediately begin to receive full and frank information about the possible dangers they face, in order to help them make the best decisions to protect their health.

We also think that it makes no sense to set a deadline for cleanup requests, as EPA has done, before any serious public outreach and education has been accomplished. We ask that EPA rescind its deadline until such time as the public has been honestly informed and aggressively educated regarding the need to have their homes thoroughly cleaned.

Our research has shown that rugs, sofas and other "soft" home furnishings could possibly be contaminated, and, since contaminants are virtually impossible to remove completely from these items, the safest approach is to discard such articles. At the EPA-9/11 EAC meeting the week of July 3, EPA stated that funds will be available to replace these items. We feel that it is very important that EPA's educational material inform tenants that carpeting is a particularly effective reservoir for toxic materials? If residents decline to discard such furnishings, how will they be cleaned to achieve the safest possible result? We feel strongly that any carpets, rugs, sofas etc. that remain must be cleaned by the EPA using the wet process HEPA vacuum system. Although our research shows that even this method may only remove 60 percent of toxic fibers, it also shows that dry HEPA vacuuming removes almost none of the fibers.

We strongly urge that arrangements be made between the EPA and IPN management in order for vacant apartments to be cleaned as well.

During our telephone conversation, you stated that, once I submitted the full building cleanup request, you would let me know how many tenants have already called for apartment cleanups. This information is important for us to assess our situation, but I have not yet received these numbers from you. Additionally, a tenant at 80 N.Moore reported that when he called the EPA for his apartment cleaning and inquired about the whole building cleanup, he was informed that this was not being arranged yet because the management company did not request it. The whole building form clearly states: Managers OR Executive Board member of the tenant association. Having spoken to you, I assumed that my filing of the application was sufficient. Is this not the case? Did you in fact receive my whole building request for IPN?

Please call me at your earliest convenience within the next two weeks, so that we can set a meeting date. Thank you very much for your attention to these matters.