



## HUDSON RIVER MANAGEMENT LLC

40 HARRISON STREET, NEW YORK, N. Y. 10013 • (212) 962-3530 • Fax (212) 571-5663

January 9, 2003

NYC Department of Environmental Protection  
59-17 Junction Boulevard  
Flushing, NY 11312

Attn. Christopher O. Ward, Commissioner

Re: Independence Plaza North (IPN)  
310 Greenwich Street, Carpet Removal  
Additional Comments

Dear Commissioner Ward:

Subsequent to sending you our 1.8.03 letter (copy enclosed for your reference), Hudson River Management LLC had a discussion with several members of the IPN Tenant Association, Environmental Committee. As you know, the Committee's strongly held belief is that the carpet on the 32<sup>nd</sup> floor, in our 310 Greenwich Street building should be tested for asbestos (using the ultrasonication methodology) *before* the carpet is removed\*.

To the extent that the ultrasonication testing protocol is practical and accurate, we concur with the IPNTA Environmental Committee.

If the test results are positive for the presence of asbestos in the carpet in excess of the permissible limit, then Management will require written confirmation from the DEP that the carpet will be removed and disposed of in accordance with all laws governing asbestos abatement.

Please advise Hudson River Management LLC of your Agency's decision in this matter as soon as possible. Contractors retained by the DEP have already removed one carpet in the 310 Greenwich Street building. We are not inclined to allow the contractors to continue carpet removal without satisfactory resolution to the issue surrounding the 32<sup>nd</sup> floor carpet.

Thank you for your prompt attention to this urgent matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Deborah Dolan', is written over the typed name.

Deborah Dolan  
Manager

Cc: *Harold Cohn, Duane Street Associates*  
*Harvey Cohn, Hudson River Management LLC*  
*IPNTA Environmental Committee*  
*DEP Deputy Commissioner Robert C. Avaltroni, Jr. ✓*  
*Arlene Anderson, EPA*

\*A copy of the sampling and analysis methods is enclosed with our 1.8.03 letter.



# HUDSON RIVER MANAGEMENT LLC

40 HARRISON STREET, NEW YORK, N. Y. 10013 • (212) 962-3530 • Fax (212) 571-5663

January 8, 2003

New York City Department of Environmental Protection  
59-17 Junction Boulevard  
Flushing, NY 11312

Attn. Christopher O. Ward, Commissioner

Re: Independence Plaza North (IPN)  
310 Greenwich Street, Carpet Removal

Dear Commissioner Ward:

The undersigned represents the Managing Agent (Hudson River Management LLC) for Independence Plaza North, a residential apartment Complex located in Lower Manhattan (one block North of Chambers Street). Our Development is comprised of 1332 middle-income rental units and has a population of approximately 2500 people.

In October 2001, Management contracted with Commercial Lab Enterprises to conduct air tests for the presence of asbestos in our public corridors and to use the TEM protocol to analyze the samples. One floor, the 32<sup>nd</sup> floor corridor at the 310 Greenwich Street building, initially showed the presence of asbestos on 10.19.01. The area was HEPA vacuumed and the walls washed down. Subsequent re-testing and TEM analysis conducted on 10.24.01 revealed that there was no airborne asbestos in the corridor. Copies of the complete test results were sent to your Agency, the NYC Department of Health and the Independence Plaza North Tenant Association (IPNTA).

In August 2002, the IPNTA Environmental Committee contracted with its own testing firm to conduct asbestos testing and analysis of the 32<sup>nd</sup> floor carpet. The results, which were sent to you on 12.15.02 (courtesy copy enclosed), indicated the presence of 1.3 million asbestos structures per square centimeter in the carpet (not airborne).

Although the DEP is completely responsible for the proper cleaning and testing of the building's common areas, Management is concerned about the huge discrepancy between our tests and analysis results (utilizing TEM technology), and the IPNTA tests/analysis (using the ultrasonification methodology).

Accordingly, Management respectfully requests that the DEP test and analyze the airborne particles in the 32<sup>nd</sup> floor hallway prior to removing the corridor carpet. If your tests indicate the presence of asbestos in excess of the permissible level, please confirm that the carpet will be removed in accordance with DEP's protocols for ACM.

Very truly yours,

Deborah Dolan  
Manager

Enc.

Cc: DEP Deputy Commissioner Robert C. Avaltroni, Jr.  
Harvey Cohn, Hudson River Management LLC  
IPNTA Environmental Committee  
Arlene Anderson, EPA