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COPY

August 8, 2002

VIA FAX: 212-637-3998

Cathy Callahan

Environmental Protection Agency, Region 2

290 Broadway

New York, New York 10007-1866

Re: 125 Cedar Street

Dear Ms. Callahan:

I am enclosing a copy of our detailed comments to Mike Gilsenan concerning the proposed DEP scope of work for 125 Cedar St. There are several specific matters that I want to bring to your attention.

1. Area to be cleaned: The Scope defines the area to be cleaned as 12 floors at 125 Cedar St. This would include only the residential floors. You represented to us that the entire building, including the commercial floors, would be cleaned. We have asked that this be clarified in the Scope. We would appreciate your speaking to Mr. Gilsenan about this issue, so that it is clear that the entire building will be cleaned.

2. Asbestos standard: You have assured us that the building will have to satisfy the health-based standard for asbestos; this must be included in the Scope.

3. Testing for mercury and dioxin: We have requested that the building be tested for dioxin, mercury and other toxic metals, based in large part on statements made to us by EPA scientists that this was necessary. In light of the EPA's commitment to test for dioxin and toxic metals in other

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apartments downtown, it only makes sense to do so in this building, where the presence of toxic materials is so great. Please advise us whether the EPA will commit to conducting these tests and providing clearance standards for these substances.

4. Testing methods: The Scope must define the methods of tests to be used. I understand that DEP is waiting for instructions from the EPA on this issue. Please advise us what methods will be used, so that these can be incorporated in the Scope.

I look forward to hearing from you as soon as possible on these issues.

Very truly yours,

GULIELMETTI & GESMER, P.C.

Ellen Gesmer

EG:ca
Enc.

cc: 125 Cedar Street Tenants
Yvonne Morrow, Office of Speaker Sheldon Silver
Bonnie Bellow, EPA
Bob Fitzpatrick, EPA
Mike Gilsenan, DEP
Walter Mugdan, General Counsel, EPA Region 2
Linda Rosenthal, Office of Congressman Nadler
Luis Reyes, Office of City Council Member Gerson
Meg Reed, Office of State Senator Connor

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TELECOPIER TRANSMITTAL SHEET

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DATE: August 8, 2002
TO ATTENTION OF: Michael Gilsenan, Assistant
Deputy Commissioner
COMPANY: Department of Environmental Protection
TO TELECOPIER #: 718-595-4544
FROM TELECOPIER #: 212-966-2162
SENT BY: Ellen Gesmer
REFERENCE: 125 Cedar Street

NUMBER OF PAGES TRANSMITTED
(Not including this
transmittal sheet): 2

MESSAGE:

cc: Yvonne Morrow, Office of Speaker Sheldon Silver	Via Fax: 212-312-1425
Linda Rosenthal, Office of Congressman Nadler	Via Fax: 212-367-7356
Luis Reyes, Office of City Council Member Gerson	Via Fax: 212-788-7727
Meg Reid, Office of State Senator Connor	Via Fax: 212-298-5574