

Thanks for all your help

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**Maldonado, Jane**

**From:** Avaltroni, Robert  
**Sent:** Thursday, November 07, 2002 5:18 PM  
**To:** Maldonado, Jane  
**Subject:** EPA issues  
**Importance:** High

As discussed, I am attempting to walk a fine line in dealing with EPA concerning the Lower Manhattan cleanup. EPA consistently acquiesces to any unsubstantiated whim that could potentially stretch this program out indefinitely at substantial cost. In essence, they are very capable of turning a reassurance effort into a typical long-term "project."

This is clearly a result of poor management virtually incapable of making constructive decisions and a public relations effort that is incompetent at best. In an effort to prevent this program from getting completely off track, at my request, Brad Gair has scheduled a meeting for Thursday, 9/14, at EPA to go over the original program matrix and status of each element. I have had significant dialogue with Brad and will be taking a low key position so as not to create problems that will impair your ability to close on agency agreements nearing conclusion.

Let me now touch on some of the issues we are trying to get through.

**Proposed EPA Advertisement/Cleanup Campaign**

Without consultation, EPA has sought MTA's assistance with regard to putting up posters on trains and buses promoting the cleanup program. (Brad found this out through a MTA source.) Needless to say, this is ludicrous from several perspectives. We are trying to bring people back to our City who will be greeted by posters promoting a cleanup program. It also flies in the face of our original agreement with Jane and Kathy to keep things below the radar screen. The good news is that by inadvertently finding out about their intent, Brad will be able to kill this before it sees the light of day.

**HVAC Cleanup**

We have been in an ongoing cordial debate with respect to assessments of HVAC systems in approximately 200 buildings. It is my belief that the EPA coordinators in the field are committing to full-scale HVAC cleanups that are in most cases unnecessary. We are talking about spending in the area of \$500K - \$1M per cleanup. We don't have to do the math to see the outrageous costs linked to such an effort. We have sought an independent consultant who walked through a building that had been earmarked for full cleanup. The independent consultant said the building was not a candidate for full cleanup.

EPA met with their consultant this past Tuesday who painted a gloomy picture suggesting that in their opinion a great number of buildings will require full cleanups. We differ with this assessment and I have suggested off the record to Brad Gair that he request an independent source specializing in HVAC systems be brought in prior to any wide scale initiative. (We would take money from existing funds earmarked for cleanup to pay such an independent consultant.)

**Expanding Cleanup to Commercial Buildings and Small Businesses**

8/5/2003

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Once again, reacting to political and private groups, EPA seems to be contemplating moving toward a cleanup program encompassing commercial buildings and small businesses.

Jane Kenny is setting up a "Strategy Meeting" for December 5 with you and I and among others Erin Crotty- DEC, Pat Clark- OSHA, etc. to see how we move forward. When I asked Kathy why are we waiting until 12/5 to have such an important meeting, she indicated that was the first date Erin Crotty has available (amazing!). I would suggest that after the FAD is signed hopefully on 9/18, that we push for a strategy meeting immediately.

We have a host of other issues like potentially changing dioxin standards to almost non-detect that comes in as a result of EPA's presentation for peer review regarding potential contaminants of concern. This is potentially dangerous.

Would you please give me a call so we can ensure that I can, in a low-key fashion, promote Deputy Mayor's agenda at my meeting of 9/14.

Thanks,

Bob

P.S. On a positive note, I have attached Edelman's Website highlight story for today, which promotes good public relations. This is what is needed at the Federal level.

8/5/2003

## NYC DEP to Complete Downtown Cleanup

November 6, 2002

By November 30, 2002, the New York City Department of Environmental Protection (DEP) will officially complete a six-month effort to remove potentially hazardous dust and debris that accumulated on the roofs, windows and facades of downtown buildings following the World Trade Center (WTC) collapse. When the project draws to a close at the end of the month, crews will have cleaned more than 2.5 million square feet of exterior building space. The project has been a feat of labor and logistics with DEP crews working around the clock and making every possible accommodation to minimize disruptions to area residents, businesses and institutions.

The project began in January 2002, when the DEP began inspecting buildings in Lower Manhattan for exterior residue containing more than 1 percent of asbestos, the threshold set by the U.S. Environmental Protection Agency (EPA), the U.S. Department of Labor, New York State and the DEP. Among a small sample of buildings close to the WTC site, 48 percent tested positive for asbestos contamination. This finding prompted the DEP to begin a comprehensive inspection of the more than one thousand buildings in the area.

"There was great concern among people in Lower Manhattan," said Robert Avaltroni, Deputy Commissioner of the DEP. "We needed to act quickly to relieve that anxiety so people who live and work in the area could move forward with their lives."

The DEP inspected 1,072 buildings, of which 326 -- less than 30 percent -- were found to have some form of asbestos-contaminated WTC debris and were earmarked for cleaning. While much of the debris contained only trace amounts of asbestos well within the range of generally accepted standards, the DEP decided to have all 326 buildings cleaned to help alleviate public concern regarding potential exposure to asbestos and other contaminants.

The DEP notified the owners of the affected buildings, giving them the option to have the cleanup done by the DEP or through an independent contractor of their own choosing. The owners of 100 buildings elected to have their buildings cleaned independently. (The DEP has since re-inspected those buildings and certified that asbestos-containing material had been removed.)

On June 3, DEP cleanup crews went into action, working 24 hours a day, seven days a week -- with the exception of major holidays and days when inclement weather made cleaning unsafe. To date, DEP contractors have cleaned 190 buildings totaling approximately 2.5 million square feet of building exterior space. Throughout the process -- inspection, cleanup and re-inspection -- the DEP has worked closely with Federal Emergency Management Agency (FEMA) and the EPA.

"We went into every crevice and every corner of the buildings we cleaned," said Avaltroni. "Wherever we saw debris, we removed it."

DEP crews reached building surfaces with cherry pickers, scaffolds and platforms. They used low-pressure spray-guns as well as their own hands to clean the debris. The New York City Department of Buildings (DOB) secured necessary permits and helped erect the scaffolds and riggings. When crews identified potential structural problems -- including loose bricks and cracked facades -- the DOB responded promptly to protect pedestrians.

Liz Berger, a long-time resident and employee in the area, appreciates the effort. "The City and the DEP were genuinely interested in understanding the issue and solving the problem," she said. "Thanks to their dedication, I feel much better in my apartment and in the building where I work."

The owners of 13 buildings have failed to respond to the DEP's repeated attempts to reach them. These buildings will be re-inspected in the coming weeks. Buildings that fail DEP inspection will be subject to a Commissioner's Order if sampling indicates the presence of asbestos-contaminated material. The DEP cleanup officially draws to a close on November 30.

### **A Day in the Life of a Cleanup Crew: Juggling Schedules, Moving Automobiles**

While DEP crews expeditiously tended to the cleanup, they also went to great lengths to ensure that downtown life went undisturbed. "We took into careful consideration the patterns of everyday life," said Avaltroni. "As hard as we worked to clean up the area, we strove equally hard to minimize disruption to residents, businesses and institutions."

Doing so required some logistical feats. In certain cases, cleanups had to be scheduled for off-hours. The cleanup at St. Peter's Church, for example, could be conducted only on weeknights from 6 pm to midnight so parishioners' access to the church would not be limited and services not disturbed.

In addition to juggling schedules, the DEP frequently had to move vehicles parked in front of job sites despite notices alerting people to sidewalk and street closures. In several cases, the DEP and the New York City Department of Transportation deployed teams of tow trucks to lift cars gingerly from front and back -- so as not to damage them -- move them away from cleanup sites and then return them when the cleanup was complete. In one case a car could not be moved without the risk of damage, so DEP crews wrapped it in plastic before moving it.

"We're proud to have done our part to make Lower Manhattan a better place to live," said Avaltroni.

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