

Gilsenan, Michael

From: Hoffer, Mark
Sent: Monday, May 20, 2002 1:21 PM
To: Gilsenan, Michael (ex)
Cc: Schiano, Frank
Subject: RE: EPA Clean Up in New York City

My recollection of Sitomer is that he is a lawyer we have crossed swords with on procurement issues in the past. Russ remembers dealing with him on ECB cases, but not recently.

My guess is he is trying to position himself as a plaintiff's counsel, to attract potential claimants against the City as a result of the WTC disaster.

-----Original Message-----

From: Gilsenan, Michael (ex)
 Sent: Monday, May 20, 2002 12:32 PM
 To: Hoffer, Mark
 Cc: Schiano, Frank
 Subject: RE: EPA Clean Up in New York City

Who is Mr. Sitomer? FYI your phones are being re- routed to security.

-----Original Message-----

From: Hoffer, Mark
 Sent: Monday, May 20, 2002 10:11 AM
 To: Avaltroni, Robert; Gilsenan, Michael (ex); Schiano, Frank; Pecunies, Russ
 Subject: FW: EPA Clean Up in New York City

FYI. Larry Kahn passed this along to me. Sitomer is a lawyer we know from other dealings. I'm not sure what his connection is to the downtown clean-up, but he is critical of what we are planning to do on indoor cleaning.

-----Original Message-----

From: Kahn, Lawrence [mailto:lkahn@law.nyc.gov]
 Sent: Thursday, May 16, 2002 6:39 PM
 To: 'markh@dep.nyc.gov'
 Subject: FW: EPA Clean Up in New York City

-----Original Message-----

From: Levi, Steven
 Sent: Thursday, May 16, 2002 5:23 PM
 To: Kahn, Lawrence
 Subject: FW: EPA Clean Up in New York City

Sitomer has some pretty broad criticism of the interior apartment cleaning plan

-----Original Message-----

From: Sitomer, Dan [mailto:DSitomer@jenkens.com]
 Sent: Thursday, May 16, 2002 5:18 PM
 To: 'slevi@law.nyc.gov'
 Subject: EPA Clean Up in New York City

As discussed, I am very concerned that the implications of the current

proposal for EPA to remediate apartments in and around Ground Zero in New York City. Based on the information and test results I have seen, asbestos is only one of several contaminants. Therefore, any program that only addresses asbestos in the testing and remediation of apartments is problematic. Further, it is unrealistic to believe that an apartment within a building can be isolated, remediated, and reopened without a cross-contamination occurring from another source of contamination in that building. Therefore, the effort may be futile and increase the frustration level of the residents in that community. Also, protocols and standards for testing and remediation must be uniformly established and a process developed to address all materials, including heavy metals, dioxins, PCBs, and mold.

Sooner or later, it will, I believe, be necessary to address the multitude of contaminants that may be present in all of the occupied buildings located around the World Trade Center. I think that a coherent and comprehensive environmental management program can and must be implemented instead of this somewhat problematic approach.