

Gilsenan, Michael

From: Theodorellys, Penny
Sent: Tuesday, April 22, 2003 8:44 AM
To: 'Fernandez'
Cc: Radhakrishnan, Krish; Gilsenan, Michael
Subject: RE: 114 Liberty Street

As per my previous message, I'll forward as soon as I receive it. I only have the oral information. We are awaiting the letter from the USEPA. If you need to reach me, please do not hesitate to call me at (718) 595-3657. Sincerely, Penny.

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

From: Fernandez [mailto:lerdos@optonline.net]
 Sent: Monday, April 21, 2003 11:31 PM
 To: ptheodorellys@dep.nyc.gov
 Subject: Fw: 114 Liberty Street

Penny, please forward us any written statements pertaining to the cleaning and testing of 114 Liberty Street, all spaces including the 8th floor. We have not received any statements or status report from the DEP to date.

Thank you

Laura Erdos Fernandez

```
>
> ----- Original Message -----
> From: "Fernandez" <lerdos@optonline.net>
> To: "Theodorellys, Penny" <ptheodorellys@dep.nyc.gov>
> Sent: Monday, April 14, 2003 8:19 PM
> Subject: Re: 114 Liberty Street
>
>
> > Thank you Penny for your reply.
> >
> > By the way, my last sentence in my 4/13/03 e mail meant to state, "we
> > have
> > NOT heard officially otherwise."
> > Therefore, to date, we have not re-entered the building for inspection.
> >
> > Also, when you write that the building should receive written
statements,
> > are you referring to The Board or The Management Agent?, (so that we
know
> > to whom we direct our request for information).
> >
> > I will await these written clearance statements assuming that the
written
> > letters are grounded on dust sampling results and successful
environmental
> > clearance monitoring.
> >
> > Laura Erdos Fernandez
> > 114 Liberty Street
> > The 8th Floor
> >
> >
> > Fernandez
```

. > ^ 264 Henry St.
> > Brooklyn, NY 11201
> > (718) 222-0744 home
> >
> > ----- Original Message -----
> > From: "Theodorellys, Penny" <ptheodorellys@dep.nyc.gov>
> > To: "Fernandez" <lerdos@optonline.net>
> > Cc: "Radhakrishnan, Krish" <kradhakrishnan@dep.nyc.gov>; "Gilsenan,
> Michael"
> > <mgilsenan@dep.nyc.gov>
> > Sent: Monday, April 14, 2003 9:31 AM
> > Subject: RE: 114 Liberty Street
> >
> >
> > > The building should receive written clearance letters from the USEPA
and
> > DEP
> > > during this week.
> > >
> > > -----Original Message-----
> > > From: Fernandez [mailto:lerdos@optonline.net]
> > > Sent: Sunday, April 13, 2003 11:01 PM
> > > To: Theodorellys, Penny
> > > Subject: Re: 114 Liberty Street
> > >
> > > A report reviewing your findings at 114 Liberty Street would
> > > be most
> > > appreciated.
> > >
> > > In particular, the DEP's technicians sampling results on
> > > asbestos, lead,
> > > dioxin, PAH in settled dust and fibrous glass and
> > > crystalline silica for all
> > > floors including #8. Has each floor and other space
> > > within 114 Liberty
> > > Street met the clearance criteria?
> > >
> > > What is your advise as to when we can re-enter the building
> > > for inspection?
> > > We have heard officially otherwise.
> > >
> > > Thank you for your reply.
> > >
> > > Laura Erdos Fernandez
> > > The 8th Floor
> > >
> > >
> > >
> > >
> > > Fernandez
> > > 264 Henry St.
> > > Brooklyn, NY 11201
> > > (718) 222-0744 home
> > >
> > > ----- Original Message -----
> > > From: "Theodorellys, Penny" <ptheodorellys@dep.nyc.gov>
> > > To: <cwarnick@cwarchitecture.com>; <steven@12east.com>;
> > > <mark@114liberty.com>; <lerdos@optonline.net>;
> > > <sabramson@cmdny.com>;
> > > <mgordon@bumbleandbumble.com>; <DRSCC@topnotchinsp.com>;
> > > <wsaya@dbardon.com>; <WCharron@pryorcashman.com>;
> > > <KERRTIARA@aol.com>;
> > > <davestanke@cs.com>; <mgordon@bumbleandbumble.com>;
> > > <danielk@bumbleandbumble.com>; <denisesweeny@hotmail.com>;
> > > <lsplotnicki@aol.com>; <jspringston@ambientgroup.com>;
> > > <kgreenspan@rcn.com>;

. >'> > <rwoo@deloitte.com>; "Fernandez" <jafern@optonline.net>;
 > > > <agaspardo@jlcenvironmental.com>; <rmiddleton@etsets.net>
 > > > Cc: "Gilsenan, Michael" <mgilsenan@dep.nyc.gov>;
 > > > "Radhakrishnan, Krish"
 > > > <kradhakrishnan@dep.nyc.gov>
 > > > Sent: Monday, April 07, 2003 10:26 AM
 > > > Subject: 114 Liberty Street
 > > >
 > > >
 > > > > This is in response to your request to leave the
 > > > polyethylene sheeting
 > > > over
 > > > > the windows in place at the completion of the Department's
 > > > unoccupied
 > > > > building clean up of debris from the collapse of the WTC.
 > > > >
 > > > > It is my understanding that building representatives and
 > > > the Department
 > > > > retained contractor, ETS, were in discussions regarding
 > > > this matter prior
 > > > to
 > > > > addressing the request with the Department. I received
 > > > the first call and
 > > > > inquiry while at home on Friday evening (April 4, 2003)
 > > > while the
 > > > breakdown
 > > > > was directed to begin at 7:00 a.m. Saturday (April 5,
 > > > 2003). The two
 > > > major
 > > > > issues are the late request to the Department for the
 > > > change in project
 > > > > planning and the direct communication with the contractor
 > > > rather than the
 > > > > Department. Also, please note the written request was
 > > > received on
 > > > Saturday,
 > > > > April 5, 2003 at 9:42 A.M. The request included two
 > > > original messages
 > > > dated
 > > > > Friday, April 4, 2003 at 8:35 P.M. and at 9:21 P.M. that
 > > > were not
 > > > > received.
 > > > > Also, the project monitor, JLC Consultants, did not
 > > > receive the
 > > > information
 > > > > regarding the request.
 > > > >
 > > > > Despite the notice, the Department reviewed your request
 > > > and agreed to
 > > > > permit the polyethylene sheeting to remain over the
 > > > windows. The
 > > > > polyethylene sheeting installed over existing damaged in
 > > > place asbestos
 > > > > -containing material in the residential spaces was left in
 > > > place.
 > > > > Further,
 > > > > the 1st floor commercial space (Pizzeria) was isolated
 > > > from the remainder
 > > > of
 > > > > the building. The demolition of the dropped ceiling in
 > > > the Pizzeria
 > > > > disclosed the presence of delaminated and damaged
 > > > asbestos-containing
 > > > > material (ACM). This material had lost its cohesion
 > > > properties and was
 > > > > falling off in large sections. Further, the substrate was
 > > > also found to

> > > be
> > > > asbestos-containing material. The area was cleaned and
> > > passed a visual
> > > > inspection by the Department prior to its isolation,
> > > however, clearance
> > > > testing was not performed. Also, in the basement above
> > > the oil tank there
> > > > is a partial layer of white block. The blocks were in
> > > good condition and
> > > > therefore were not sampled nor covered.
> > > >
> > > > As you are aware, statement made to the Department prior
> > > to the initiation
> > > > of the cleaning activities indicated that the building did
> > > not have in
> > > place
> > > > ACM. Please note, an asbestos survey and assessment must
> > > be performed
> > > prior
> > > > to construction/renovation activities, notification to the
> > > Department must
> > > > be made prior to handling ACM, and all work must be
> > > performed in
> > > accordance
> > > > with the asbestos rules.
> > > >
> > > > The contractor and monitor have demobilized equipment
> > > based on the
> > > > preliminary review of clearance data by the USEPA and the
> > > Department.
> >
>