

Gilsenan, Michael

From: Theodorellys, Penny
Sent: Thursday, April 24, 2003 12:44 PM
To: Maldonado, Jane; Gilsenan, Michael
Subject: 114 Liberty Street



April 22.doc

This is a draft of a clearance letter for 114 Liberty Street. I reference the attachments (EPA letter with enclosure and our lab results of the surfacing material). If the letter is okay I'll bring up the attachments.

April 22, 2003

114 Liberty Condominium
114 Liberty Street
New York, New York 10006

Dear 114 Liberty Condominium:

This is to confirm, the Department of Environmental Protection has completed the clean-up activities as per the clean up and monitoring specifications and access agreements for 114 Liberty Street.

Attached please find a copy of the correspondence dated April 18, 2003 received from the United States Environmental Protection Agency regarding the clearance levels at 114 Liberty Street. The enclosure, which summarizes the analytical results, is also attached. The review of the clearance results indicated all primary clearance levels were achieved.

As you are aware from previous correspondences and conversations with Asbestos Control Program staff, the clean up activities were developed for the removal of debris from the collapse of the World Trade Center. The scope of work did not include the removal or remediation of pre-existing building materials.

Staff has identified various locations where suspect asbestos-containing materials (ACM) were present. These materials include thermal system insulation, surfacing material, and vinyl asbestos tiles. The Department did not perform a complete survey or hazard assessment for asbestos. Limited bulk sampling was performed at the first floor commercial space upon the identification of severely damaged material. A copy of the sample results is attached for your records. The area was cleaned and isolated from the remainder of the building. Clearance sampling was not performed in this area

Title 15, Chapter 1 of the Rules of the City of New York requires building owners to determine the absence or presence and amount of ACM that may be disturbed during the course of alteration, renovation, modification, demolition, etc. Further, the rules require notification to the Department prior to the start of asbestos abatement activities. A copy of the rules is posted on the Department's web site, www.nyc.gov/dep for your reference.

If you have any questions or need additional information, please contact me directly.

Sincerely,

Michael Gilsenan
Assistant Commissioner
Bureau of Environmental Compliance

cc. Liberty, LLC
c/o EPIC, LLC
12 East 44 Street
New York, New York 10017