

Gilsenan, Michael

From: Sturcken, Charles [NYCDEP/QUEENS/CHARLESS]
Sent: Friday, April 26, 2002 3:48 PM
To: Avaltroni, Robert
Cc: Gilsenan, Michael
Subject: FW: RE: Your inquiry.

we need to answer 1 and 2 for City Hall by Monday.

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

From: Sandra Mullin [mailto:smullin@health.nyc.gov]
Sent: Friday, April 26, 2002 2:59 PM
To: charless@dep.nyc.gov
Subject: Fwd: RE: Your inquiry.

RE: Your inquiry.

Gilsenan, Michael

From: Carlton, Jim [Jim.Carlton@wsj.com]
Sent: Friday, April 26, 2002 1:35 PM
To: 'Andrew Tucker'
Subject: RE: Your inquiry.

Andrew,

There seems to be some confusion here. That ATSDR study you refer to actually was initiated AFTER residents, et al complained the city was not doing a good job overseeing analysis/cleanup of asbestos inside the lower Manhattan buildings. I am not asking about that study, which I assume would be using the latest in monitoring techniques. I will reiterate my questions again below to be more clear and ask for prompt response, hopefully end of business today. Best regards, Jim

1) EPA says it did not assume jurisdiction over the indoor air testing because New York City DOH insisted it have lead responsibility for that. Then NYC advised lower Manhattan residents that they were using the 1% OSHA standard for asbestos in dust; i.e. if more than 1% asbestos found in dust, then would have to be properly abated. (The PLM (polarized light microscopy) microscope has been most commonly used to determine the 1% level.) If not, no problem.

HOWEVER, numerous private lab tests have found widespread asbestos levels below the 1% threshold by using a much more sensitive testing device called the TEM (transmission electron microscopy) microscope. Why so much asbestos below 1%? Because in the collapse of the Twin Towers the asbestos became atomized into millions of sub-micron particles not readily detected by the PLM microscopes.

So the question is: Why did New York City continue to follow the 1% standard when it was clear that standard was of little relevance to this situation?

2)What guidance if any did EPA give NYC in testing/abatement of asbestos?

3)Why was the ATSDR study launched? Is that a concession by the city that perhaps better testing techniques should have been used all along?

4) Finally, does the city feel the EPA shares any responsibility for the way cleanup and testing have been handled indoors? In other words, should EPA have asserted its jurisdiction and taken charge all along??

Jim Carlton
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 415 989-7527 (fax)

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

From: Andrew Tucker [mailto:atucker@health.nyc.gov]
 Sent: Friday, April 26, 2002 9:40 AM
 To: Carlton, Jim

Subject: "Your inquiry."

Jim: as you probably know, the NYC DOH worked w/ the federal Agency for Toxic Substances and Disease Registry (ATSDR), who actually determined the testing methodology and performed the testing, therefore they would be best suited to address your questions. I have reached out to a counterpart there, and they will be contacting you directly.

Feel free to be in touch in the future.

Andrew Tucker
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New York City Department of Health
VC: 212.295.5336
FX: 212.941.2156

Gilsenan, Michael

From: Sturcken, Charles [NYCDEP/QUEENS/CHARLESS]
Sent: Friday, April 26, 2002 4:58 PM
To: Gilsenan, Michael
Subject: RE: RE: Your inquiry.

DOH is answering 3; we only have to answer concerning the 1 % issue.

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

From: Gilsenan, Michael
Sent: Friday, April 26, 2002 4:57 PM
To: Radhakrishnan, Krish
Cc: Sturcken, Charles 001; Avaltroni, Robert
Subject: FW: RE: Your inquiry.

Can you put something together for Bob to review on MOn. We should reiterate the science and regulations that were in place at the time and which were followed. Charlie- Fyi it seems the writers are confused, maybe in addition to our response they should contact DOH(Jessica?).

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