

Gilsenan, Michael

From: Schiano, Frank
Sent: Thursday, July 11, 2002 3:45 PM
To: Gilsenan, Michael; Pecunies, Russ
Cc: Hoffer, Mark; Avaltroni, Robert; Radhakrishnan, Krish
Subject: RE: Attorney General inquiries - Correction

Krish and I had discussions on Monday with Tom Lieber and Beverly Kolenberg of EPA. We discussed the friable asbestos and peeling lead based paint issues and they seemed to accept our position as explained by Krish that the scope of work would provide that the contractors not attempt to handle those problems.

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

From: Gilsenan, Michael (ex)
Sent: July 11, 2002 15:29
To: Pecunies, Russ
Cc: Hoffer, Mark; Schiano, Frank; Avaltroni, Robert; Radhakrishnan, Krish
Subject: FW: Attorney General inquiries - Correction

Should have put a period after project. Regarding ...

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

From: Gilsenan, Michael (ex)
Sent: Thursday, July 11, 2002 2:58 PM
To: Pecunies, Russ
Cc: Hoffer, Mark; Schiano, Frank; Avaltroni, Robert; Radhakrishnan, Krish
Subject: Attorney General inquiries

EPA informed me today that, at a meeting they had with the State Attorney General's Office, the Attorney General opined that NYC asbestos regulations are applicable for Scope A cleanup. The Attorney General asked other questions regarding peeling paint and friable asbestos. In the first instance, EPA and DEP do not feel that Scope A is in anyway an asbestos project. Regarding peeling paint and friable asbestos, EPA's Kathleen Callahan agrees with our position, which we provided to EPA Attorney, Tom Lieber, that if and when you come upon a situation in which friable asbestos and/or peeling paint is present, work should not commence under the Indoor Air Residential Assistance Program, rather it should be referred to the appropriate regulatory agency. This language should be included in the scopes.

Russ, would you contact Tom Lieber at 212-637-3158 to discuss the issues and ensure that we are addressing it properly, and to further inquire about the Attorney General meeting.

FYI - Tom has been speaking to Frank Schiano, but I do not know if these issues were discussed.

Thanks,

Mike