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From: Ilan, Lee [ilan@cityhall.nyc.gov]
Sent: Wednesday, March 27, 2002 1:30 PM
To: Alessandra Sumowicz; Anita Sher; Bob Adams; Bob Avaltroni; Diana Chapin; Edward Gabriel; Eric Kim; James Miller; Jessica Leighton; Jordan Barowitz; Kelly McKinney; Laurel Blatchford; Mike Gilsenan; Sam Benson; Susan Kupferman
Subject: FW: US Rep Nadler responds to 3/25 EPA Press Release (+ EPA Release)

FYI
 --Lee

U.S. REPRESENTATIVE JERROLD NADLER
 NEWS RELEASE

From New York's 8th Congressional District

March 25, 2002 CONTACT: Eric Schmeltzer

FOR IMMEDIATE RELEASE 202-225-5635

U.S. REP. NADLER CRITICIZES EPA'S CONTINUED EVASION OF CLEANUP
 RESPONSIBILITY

NEW YORK - Rep. Jerrold Nadler (D-NY) today rebuked the Environmental Protection Agency (EPA) for its continued evasion of its responsibility to act in accordance with laws and policies mandating it to clean up sites contaminated by acts of terrorism and its disregard for the residents of Lower Manhattan. In response to a press release issued today by the agency, Rep. Nadler again called on the EPA to "come clean about its utterly inadequate response and proceed swiftly to clean up both the inside and outside of buildings in Lower Manhattan."

The EPA press release announced that New York City Department of Environmental Protection (DEP), with EPA guidance, will remove debris from rooftops and facades. The agencies also announced that they "will work to build on an indoor air study conducted in November and December." When contacted, the EPA did not provide immediate details on how the indoor air study will be expanded.

"Once again, the EPA is ignoring indoor areas where people live and work. As for the indoor air study, we have yet to learn the details of what was done in November and December, let alone what will be done today," said Rep. Nadler. "I fail to see why the EPA needs to do a study anyway, when it is clear from the National Contingency Plan and from Presidential Directives that the EPA has the mandate to coordinate all response efforts taken to remediate hazardous materials, including contamination inside buildings."

"I cannot understand why the Administration is letting the plight of the residents of Ground Zero fall on deaf ears," he added.

The National Contingency Plan is authorized by the CERCLA statute (42 USC §9604), and provides the framework for EPA's response to the release of hazardous substances, pollutants and contaminants.

Commenting on EPA Regional Administrator Kenny's statement in the press release that "Actions speak louder than words..." Rep. Nadler said, "When it comes to the needs of the residents and workers who have been victims of the terrorist attack, the EPA refuses even to mouth the right words, let alone perform any actions on indoor environments that would ensure the health and safety of people living and working in and around Ground Zero."

(MORE)

Rep. Nadler pointed out that in a speech delivered by EPA Administrator Christine Todd Whitman in November 2001, she acknowledged the EPA's responsibility for cleanup of buildings contaminated in a terrorist attack.

Under the Presidential Decision Directive 62, signed by then-President Clinton in 1998, she said, "the EPA is assigned lead responsibility for cleaning up buildings and other sites contaminated by chemical or biological agents as a result of an act of terrorism."

"If Administrator Whitman was so clear on the duties and responsibilities in November 2001, why did she not enforce them two months earlier, and why does the EPA continue to shirk its duties more than six months after the attack," asked Rep. Nadler.

Rep. Nadler was elected to Congress in 1992. He represents the 8th Congressional District in New York, which includes parts of Manhattan and Brooklyn, including the area now known as Ground Zero.

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EPA RELEASE FOLLOWS:

U.S. Environmental Protection Agency -- Region 2

>New Jersey, New York, Puerto Rico and the U.S. Virgin Islands

>290 Broadway - New York, New York 10007-1866

>www.epa.gov/region2

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>EPA - Mary Mears, 212-637-3669

>NYC - Frank McCarton (OEM), 718-422-4888

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>FEDERAL, STATE AND CITY AGENCIES ANNOUNCE ACTIONS FOR LOWER
>MANHATTAN AIR QUALITY

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>FOR RELEASE: Monday, March 25, 2002

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>(#02114) New York, New York - Today the Environmental Protection
>Agency (EPA), along with New York City and other federal and state
>agencies, announced additional actions to address outdoor and
>indoor air quality. As part of the overall effort to continue to
>protect air quality, DEP will remove residual debris from rooftops
>and facades with EPA's guidance. OSHA will work in a coordinated
>effort with the City and EPA to ensure the safety and health of
>the workers performing this cleaning.

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>EPA and New York City will expand the program to remove residual
>debris from rooftops and facades around the World Trade Center
>site. In addition, agencies will work to build on an indoor air
>study conducted in November and December. These actions are a
>result of the collaborative efforts of the EPA Administrator
>Christie Whitman's Task Force on Indoor Air and New York City
>Mayor Michael Bloomberg's Lower Manhattan Air Quality Task Force.

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>"Actions speak louder than words, and these actions will help
>increase confidence about outdoor and indoor air quality," said
>Jane Kenny, EPA Regional Administrator. "We have been working
>hand-in-hand with the city to resolve the public's health
>concerns."

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> "I am extremely pleased that EPA continues to work with the City
>to address concerns regarding air quality in Lower Manhattan,"
>said incoming DEP Commissioner Christopher Ward.

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>Tests conducted since September 11th have indicated that there is
>no evidence of significant long-term health risks to residents and
>office workers from the air quality in Lower Manhattan. Inspectors

>from the City and EPA have surveyed area rooftops and facades
>identifying buildings where residual debris remains. As removal of
>debris from the World Trade Center site nears completion, City,
>State and Federal agencies are committed to continuing to protect
>and improve the downtown environment.
>
>City, state and federal health and environmental agencies are
>working collaboratively to continue to assess the cleaning that
>was conducted and determine testing criteria. Building on earlier
>tests, EPA will conduct field work to assess cleanup techniques
>and provide information for ongoing cleaning. The Agency for
>Toxic Substances and Disease Registry, with support from the New
>York City Department of Health and EPA, is planning to expand the
>indoor air study conducted in December 2001.
>
>As these projects are developed, the Federal Emergency Management
>Agency (FEMA) will fund components that are eligible under its
>programs. As the agency responsible for coordinating federal
>assistance in support of the city's long term recovery efforts,
>FEMA is working closely with all concerned agencies.
>
>Both the EPA and New York City Task Forces will work cooperatively
>to continue to protect air quality. The Lower Manhattan Air
>Quality Hotline (212-221-8635) will continue to be the principal
>point of information dissemination to businesses, residents and
>visitors regarding air quality and environmental issues in and
>around the World Trade Center site. The City's Task Force will
>also coordinate additional community outreach and local
>initiatives as part of the broader effort to build public
>confidence in the downtown environment.
>
>For more information, call the City's Lower Manhattan Air Quality
>Hotline at 212-221-8635 between 11:00 am and 7:00 pm Monday
>through Friday. In addition, information can be found on EPA's
>web site at: www.epa.gov; OSHA's web site at: www.osha.gov; NYC
>DOH's web site at: www.ci.nyc.ny.us/html/doh/home.htm; and
>NYCDEP's web site at: www.nyc.gov/html/dep/html/airmonit.html.

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