

NYC DEP BAN Hazmat Exec Fax: 718595379

Jan 31 '02

11:11

P.01

Prero, Judah

To: MIKE GILSEAN	From: JUDAH PRERO
Co./Dept: BEC	Co: LEGAL
Phone #: 4543	Phone #: 6667
Fax #: 4544	Fax #: 6543

From: Hoffer, Mark
 Sent: Wednesday, January 30, 2002
 To: Prero, Judah
 Cc: Gilsenan, Michael
 Subject: RE: Cars at Fresh Kills

I have no time to fool around with this. I say go with what we agreed to on the phone. If DOH has agreed to having the cars tarp'd when taken away from Fresh Kills, that seems to satisfy Mike's/Krish's concern. Gabe has indicated that decon at Fresh Kills has already been considered and rejected by NYCDOH. DOH has the lead on this and I for one don't have the time to second-guess them.

Mike - do you agree? If so, please advise Judah and Judah should let Gabe know we are signed off with the tarp requirement.

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

From: Prero, Judah
 Sent: Wednesday, January 30, 2002 4:16 PM
 To: Hoffer, Mark
 Cc: Gilsenan, Michael
 Subject: FW: Cars at Fresh Kills

We need to respond ASAP.

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

From: Wilfredo Lopez (E-mail) [mailto:wlopez@law.nyt.gov]
 Sent: Wednesday, January 30, 2002 4:19 PM
 To: Taussig, Gabriel; 'Prero, Judah'
 Cc: 'Wilfredo Lopez (E-mail)'; 'Martha Robinson (E-mail)'
 Subject: RE: Cars at Fresh Kills

The level of health protection that is applied to the cars at Freshkills must be consistent with the advice we are giving to the public who live in the area AND the city workers who are using the vehicles affected by 9-11 WTC debris. If there is a policy disagreement between agencies, it must be RESOLVED before we make statements in Gabe's federal case.

Did DEP recommend decon on the City emergency vehicles? please tell me when and how this was made? were recommendations not followed? did DEP comment on DOH's public health advisory on its web site? did DEP issue contrary advice?

regarding the cars at Freshkills - almost all the operable cars that I saw in the parking lots had windows that were intact, so that there was very little debris inside the vehicles. Most of the vehicles with broken windows will be scrapped by insurance companies that paid claims according to the rep from NCIB. It seems to me that very few cars that would even apply

Avaltroni, Robert

From: Jim Miller
Sent: Tuesday, April 02, 2002 6:27 PM
To: avaltronir@dep.nyc.gov; michaelgi@dep.nyc.gov
Subject: suggested changes in exterior cleaning RFP

Please review the following suggested changes. If acceptable, a revised RFP could be issued at the pre-bid conference. I recognize these changes come very late in the process.

Revise DEP Building Exterior and Rooftop Cleanup specifications to provide a more informed and relevant Scope and Background Discussion

Specifically, revise clean up protocols to more effectively correspond to risk:

DEP will use conservative (protective) cleaning method for all debris regardless of asbestos content. The DEP will clean building exteriors utilizing state-of-the-art cleaning methods designed to remove particulate source materials in a safe and effective manner. These methods are derived from modifications to traditional abatement techniques. Because of the very low probability of exposure to elements contained in the solidified debris, these methods are protective to the public and to cleaning personnel.

Initially require worker and resident protections as specified, including changing areas, worker personal protective equipment (PPE), monitoring, etc., and allow downgrading of these requirements secondary to objective data (i.e., visual assessments, personal and area air monitoring).

Limit requirement of covering roof openings to within 15 feet of observed debris locations.

Remove the requirement for filing of ACP 7

Restate Scope of Work language as follows:

Delete last sentence in paragraph 3: "Based on these results and the most stringent assessment and evaluation, this material is assumed to be ACM and shall be cleaned by NYS DOL licensed contractors with DEP and NYSDOL certified workers." This contradicts the DEP approach to assessing and mitigating WTC dust since 9-11. DEP should indicate that results of its bulk sampling data indicates that the debris generated by the collapse of the WTC towers is not a homogenous material. Results of air sampling by DEP and others indicates that WTC debris does not tend to aerosolize and is not a significant source of airborne asbestos fibers. In addition, field observations indicate the WTC debris is non-friable and represents a low hazard potential.

DEP should state its approach to assessing and mitigating WTC dust since 9-11.



**Department of
Environmental
Protection**

59-17 Junction Boulevard
Corona, New York
11368-5107

**Joel A. Miele Sr., P.E.
Commissioner**



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(718) DEP-HELP