

World Trade Center Emergency Response Inspections at 105 Duane Street

December 11, 2001 – On arrival the porter, Joe insisted that DEP return during normal working hours. He spoke to the building manager via telephone. After about 10 minutes Joe said I will have to return the next day. He also said that the work on the duct cleaning had stopped.

December 12, 2001, 10 am – on arrival I met Mr Joel Kupferman an attorney with NY Environmental Law & Justice Project and a group of tenants outside the building. They informed me that they were concerned about the air quality in the building and that they wanted the duct cleaning work to be stopped. Inspection of the 10 floor and 2nd floor HVAC room revealed that there was no visible suspect material. Ms Lisa Bergenty a building rep said that over 250 TEM sample taken by ATC labs were negative for ACM. She also said that the tenants have the option of requesting additional testing. Presently, they had stopped the work being performed by TECH CLEAN to address the tenants concerns. That they were also willing to treat the duct cleaning as an asbestos project. This information was relayed to the tenants and Mr Kupferman.

December 12, 2001, 10:15 pm – inspection was based on a request by DEP to MS Bergenty to conduct additional sampling on the 10th & 2nd Floor HVAC room. ATC was on site conducting aggressive TEM air monitoring. Five pumps were running on the 10th & 2nd floor. Results later submitted to DEP were negative for ACM.

December 20, 2001 - The purpose of the visit was to determine whether any more sampling was required of the ventilation system. Present were Howard Bader – a consultant for the tenants association, two tenants were present, a representative of Tech Clean (duct cleaning company), ATC Labs rep, Lisa Bergenty of Relations Management (bldg. Mgt. Co.) a DOH – Peter Stallbohm, Brendan Farell – Super. Some other helpers were present.

I requested from Mr. Bader to take us wherever he deemed appropriate to start. The 10th floor diffuser was chosen. On opening, we found that there was no visible dust. Bader also, used a portable monitor to check for respirable fibers and found none. It was then suggested by him that this might be the condition of all the other locations. As a result, no more inspection was necessary. I repeated to him that I would be happy to look at more.

One of the tenants, who was present, wanted her apartment vent inspected. This we did and found that there was minor dust accumulation, which appeared to be very old. Bader said that he might take a sample. It was agreed that the owner would treat the clean up of the duct as though it was an ACM project. However, this is on hold because of other concerns by the tenants.

DOH also agreed that there was no concern reference ACM. It was acknowledged that the owners are done more than sufficient sampling. The tenants concern was that some procedures were not being followed. Such as, the plastic covering the duct had fallen off or had holes. The tenants also had in their possession a document from EPA dated December 19, 2001, which indicated DEP methods, were inaccurate.

Mr. Kupperman (tenants attorney) met me outside the building and expressed his concern that DEP protocols were incorrect based on the EPA document.

Before leaving the site I again requested if there was any other concerns regarding ACM and was told "no." Based on my inspection there was no suspect material to be sampled.

The owner is still agreeing to do any more sampling required by the tenants. Also, it was agreed that DEP would be notified when any duct cleaning begins.

December 29, 2001 – Inspection revealed that the duct was being cleaned in the HVAC room. The risers have been closed off at the fan room. Workers were in PPE using HEPA vacuum to do the cleaning. ATC was also present conducting air monitoring. An inspection request of the vent in an apartment on the 14 floor revealed that there was no visible suspect material.