



Bellmarc

Bellmarc Property Management

Department of Environmental Protection
59-17 Junction Blvd
Corona, New York 11368
Att: R. Radhakrishnan

February 27, 2002

Re: 71 Murray Street

Dear Mr. Radhakrishnan:

First, please be advised that WIIP 20 LLC no longer manages the above referred premises and that Bellmarc Property Management is the current managing agent. Please make a note of this change and mail all future correspondence to the following address:

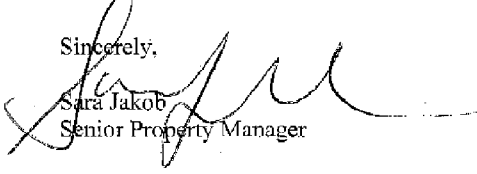
Bellmarc Property Management
352 Park Avenue South - 9th flr
New York, NY 10010

I am in receipt of your letter dated February 23, 2002 in which you are requesting copies of environmental hazard assessments including air monitoring results and a summary of clean up activities for the above referred premises. In response, enclosed please find a copy of the air sampling results and asbestos analysis report which was performed and provided by ALC Environmental Inc. In addition to obtaining the aforementioned report, please be advised of the following work which has been performed relating to the clean up of the exterior and interior of the building:

- All sides of the building's facade has been power-washed
- The roof has been professionally cleaned
- The water tank has been replaced
- The interior stairwells and lobby has been professionally cleaned
- The exterior public space has been professionally cleaned
- The air conditioning units have been cleaned
- The building has been inspected by a structural engineer who has deemed the building structurally sound.

Should you require any additional information relating to this matter please feel free to contact me at 212-252-1900 ext.323.

Sincerely,


Sara Jakob
Senior Property Manager

352 Park Avenue South • New York NY 10010 • PHONE 212 252 1900 • FAX 212 252 1850 • WEBSITE www.bellmarc.com

EAST SIDE
BELLMARC EAST, LLC
1015 MADISON AVENUE
817 9100

WEST SIDE
BELLMARC WEST, LLC
424 COLUMBUS AVENUE
874 8002

LINCOLN CENTER
BELLMARC LINCOLN, LLC
1715 EIGHTH AVENUE
957 3100

MIDTOWN
BELLMARC BROOKLYN, LTD
487 LEICESTER AVENUE
488 8510

GRAMERCY/CHELSEA
BELLMARC BROOKLYN, LTD
352 PARK AVENUE SOUTH
252 1900

DOWNTOWN
BELLMARC DOWNTOWN, LLC
4 EAST 27TH STREET
627 3000

PROPERTY MANAGEMENT
BELLMARC PARK NORTH, BELLMARC, INC.
352 PARK AVENUE SOUTH
252 1000

00172

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Art Greco

212.528.3198

P. 1



**Department of
Environmental
Protection**

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

att: Sara Jacob
2/25/02

February 23, 2002

WHP 20 LLC
2 Executive Drive
Fort Lee, NJ 07024-3310

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

**Subject: 71 MURRAY STREET
Second Notice**

**Robert C. Avaltroni
Deputy Commissioner**

**Bureau of
Environmental Compliance**
Tel (718) 595-4418
Fax (718) 595-4422

Dear Sir/ Madam:

This is a follow-up to the NYC DEP request for copies of the environmental hazard assessments including bulk sample results and air monitoring results and a summary of clean-up activities at the above referenced site. To date, our office has not received the requested documents and information. They may be faxed to (718) 595-3744 or sent to the NYC DEP Asbestos Control Program at 59-17 Junction Boulevard, 8th floor, Corona, New York 11373-5108.

Please be advised building owners are responsible for the cleaning of building exteriors, grounds, and common areas. Due to changing conditions and continued activity at Ground Zero, building owners should periodically assess the condition of building exteriors and air conditioning systems for cleanliness and may have to periodically re-clean areas. Adherence to proper cleaning methods is important for the protection of public health and the environment. DEP inspectors will be following up on this matter.

If you have any questions, you may reach the Department at (718) 595-3682 during office hours or the 24-hour Help Center at (718) DEP-HELP. DEP staff is available to provide guidance and technical assistance.

Sincerely,


R. Radhakrishnan, P.E.
Director
Asbestos Control Program



00173

CITY_21MC100_008873504

October 22, 2001

AIR MONITORING REPORT:

*71 Murray Street
New York, New York*

Prepared For:

Bellmarc
352 Park Avenue South
New York, NY 10010

Prepared By:

ALC Environmental Inc.
115 West 30th Street, 11th Floor
New York, New York 10001

**ENVIRONMENTAL
INCORPORATED**

The First Choice for Environmental Testing & Consulting

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1.0 Introduction

Bellmarc
Ms. Sara Jacobs
352 Park Avenue South
New York, NY 10010

Subject: Air Sampling Results: 71 Murray Street

Ms. Jacobs:

Please find enclosed the air monitoring report performed at 71 Murray Street. Air sampling was conducted on October 19, 2001 via Transmission Electron Microscopy (TEM) analysis at the request of the owner.

ATC Associates (ELAP #10879) analyzed the samples using the Transmission Electron Microscopy (TEM) Methodology. The results indicated that the areas achieved the acceptance criteria below <70 structures per mm² set by the above regulations. (Please See Attached TEM Report)

The air sampling and analysis were done utilizing applicable Federal, State and City Regulations pertaining to asbestos to include Federal OSHA (29 CFR 1926.58) EPA NESHAPS (40 CFR PART 61), AND TSCA TITLE II AHERA/ASHARA (40 CFR PART 763) Asbestos Regulations; the New York State Department of Labor Industrial Code Rule 56 and the New York City Department of Environmental Protection Title 15 Asbestos Regulations.

The air samples were collected by Americo Rodriguez Jr. ((License #AH 89-07160)) NY State Department of Labor Project Monitor.
If you have any questions and/or comments please contact us directly at 212 279-1001.

Sincerely,



Joshua Saret
ALC Environmental Inc.

2.0 Scope of Work

2.1 Air Sampling Procedures

ALC's licensed technician collected air samples using TBM Methodology. The technician collected five (5) air samples throughout the building in apartments and hallways.

The air samples were collected using high volume air sampling pumps. Once the pumps were in place the air sampling technician recorded the location, time, date, sample numbers, pump number, flow rate, start and stop times and his initials.

The air cassette was independent of the pump motor. This is to prevent the vibrations of the motor from affecting the fibers in the cassette. A separate stand or tripod was used to hold the cassette in place. The cassette was angled 45 degrees downward from the horizontal stand. This is to insure that no asbestos will drop into the cassette while sampling.

Using a rotameter, we calibrated each pump to the required flow rate, noting this rate on the sample record. After calibrating the pumps, the end cap from the cassette was removed; the pump was turned on and run for the required amount of time.

The sampling pumps were checked periodically to ensure they were still operating, the cassettes were still in place, and no one has disturbed the equipment. If at any time the area being sampled was suspected of having high fiber counts, the filter inside the cassettes were examined for "overloading", or an excessive amount of fibers and/or debris on the filter.

When the pre-determined volume of air has been collected, the technician then calibrated the sampling pump again to determine the current flow rate. This rate will often be different from the flow rate measured at the beginning of the sampling period. That difference is usually due to the clogging of the filter, thereby adding increased resistance to the flow of air.

Once the pre-determined volume of air has been reached, the time was recorded as well as on the cassette. Before the pump was turned off, the cassette was angled upward and the cap replaced and the end plug. The cassettes were placed in sealed containers, labeled with an identifying code and a sample log was kept. The samples were then submitted to the laboratory to be analyzed for asbestos content. A chain of custody record was prepared and accompanied the samples to the laboratory.

2.2 Asbestos Analysis and Methodology

Each air sample is cross-referenced by field designation and lab internal code to ensure proper, consistent handling through a chain of custody. Sample preparation takes place within a HEPA Filter clean bench to avoid any possible contamination. Air sampling was conducted at a level approximating the breathing zone of persons anticipated to be present in the area during normal operations. Samples collected represent the typical airborne fiber concentration of the area.

3. Findings and Conclusions

Five (5) air samples were collected and analyzed via TEM Methodology. The results indicated that the areas achieved the acceptance criteria below <70 structures per mm² set by the above regulations.

4. Limitations and Exclusions

All the professional opinions presented in this report are based solely on the scope of work conducted and sources referred to in our report. The data presented by ALC in this report was collected and analyzed using generally accepted industry methods and practices at the time the report was generated. This report represents the conditions, locations, and materials that were observed at the time the fieldwork was conducted. No inferences regarding other conditions, locations, or materials, at a later or earlier time may be made based on the contents of the report. No other warranty, express or limited is made. ALC's liability and that of its contractors and subcontractors, arising from any services rendered hereunder, shall not exceed the total fee paid by the client to ALC for this project. This report was prepared for the sole use of our client. The use of this report by anyone other than our client or ALC is strictly prohibited without the expressed written consent of ALC. Portions of this report may not be used independent of the entire report.



104 East 25th Street
New York, New York 10010
www.atc-enviro.com
212.353.8280
Fax 212.353.8306

October 20, 2001

ALC Environmental
115 W. 30th Street
New York, NY 10001
Attn: Mr. Joshua Sarett

Re: Report of TEM Analysis

Dear Mr. Sarett:

Following are the results of transmission electron microscopy (TEM) analysis of air samples from our Group No. 5713.

Client: Bellmarc
Project Name: 71 Murray Street
Location: Floors 10, 8, 5, 3, Lobby
Samples received: 10/20/01

These results will confirm and document the data transmitted today to you. The analyses were performed in strict conformance with the methodology of the AHERA Final Rule (CFR October 30, 1987) for clearance of abatement sites. As indicated on the attached Summary Results sheet, no asbestos structures were detected in any of the five samples submitted from the site.

Results reported as Struct/cc are a function of air volume collected in the field and are, as such, not verifiable by this laboratory. This report may be reproduced only in its entirety and not without prior permission of this laboratory. If the post-abatement inside samples pass, the response action may be considered to have been completed. The analyses were supervised by Dr. Michael A. Gorycki, Director of Electron Microscopy.

We are pleased to note that our TEM lab has received full accreditation from NVLAP, as is currently required for recognized analysis of TEM air samples for AHERA projects, and also approval under the NY State DOH ELAP program. These analyses were performed by ATC d/b/a ATC Associates Inc.

Please contact me regarding any questions relating to these materials.

Very truly yours,

A handwritten signature in dark ink, appearing to read 'Michael A. Gorycki', is written over the typed name.

Michael A. Gorycki, Ph.D.
Director of Electron Microscopy

ATC ENVIRONMENTAL, INC.
104 East 25th Street
New York, NY 10010

APPROVED NY STATE DOH FILE # 10672
ACCREDITED NYLAP Lab Code # 1187

Summary of TEM Results

ATC Environmental
115 W. 30th Street, 11th Fl.
New York, NY 10001
Mr. Joshua Sarnet

DATE: 10/20/01

Project/Site Identification: Bellmarc, 71 Murray St.
Floors 10, 8, 5, 3, Lobby

CONCLUSION:

STATISTICAL SUMMARY

1) Inside Samples

TEMP	Project #	Volume (L)	Asbestos Concentration		
			S/m ²	S/cc	mg/m ³
5733- 61889	1	1000	0.0	0.0048 *	
5733- 61890	2	1000	0.0	0.0048 *	
5733- 61891	3	1000	0.0	0.0048 *	
5733- 61892	4	1000	0.0	0.0048 *	
5733- 61893	5	1000	0.0	0.0048 *	
Average			0.0	0.0048	0

2) Outside Samples

TEMP	Project #	Volume (L)	Asbestos Concentration		
			S/m ²	S/cc	mg/m ³
		Average	N/A	N/A	N/A

3) Blanks

TEMP	Project #	Volume (L)	Asbestos Concentration		
			S/m ²	S/cc	mg/m ³
5733- 61894	6		Not Analyzed		
5733- 61895	7		Not Analyzed		
5733- 61896	8		Not Analyzed		
Average			N/A	N/A	N/A

4) Value of T - Statistics: N/A

* None detected; concentration equivalent to analytical sensitivity assigned.

This test report relates only to the specific items cited in the analysis.

The analysis was carried out according to the approved TEM method. The laboratory is in compliance with the quality specified for the method.

This report must not be used by the client to claim product endorsement by NYLAP or any agency of the U.S. Government.

ucf
Analyzed by:
Marek Pysakhov

Michael A. Gorycki
Michael A. Gorycki, Ph.D.
Director of Electron Microscopy