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April 17, 2001

**Annual Assessment, Bulk Sampling &
Air Monitoring Report:**

Gateway Plaza Project: 375 South End Avenue
Building #400

Prepared For:

Gateway Plaza Management Corporation
375 South End Avenue
New York, New York 10280

Prepared By:

ALC Environmental Incorporated
115 West 30th Street, 14th Floor
New York, New York 10001

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INCORPORATED**

The First Choice for Environmental Testing & Consulting

CITY_21MC100_008879969

1.0 Introduction

October 17, 2001

Gateway Plaza Management Corporation
375 South End Avenue
New York, New York 10280

Subject: **Gatewav Plaza Building #400**

Gentlemen:

ALC Environmental Incorporated (ALC) has been contracted by to perform visual assessments, bulk sampling, and air sampling to identify any asbestos contaminant at the above referenced building. ALC performed sampling according to the EPA Guidelines for asbestos bulk sampling and air sampling. The inspections were conducted in this building on September 26, October 1-4, & October 7-11, 2001.

ALC worked under the guidance provided by the EPA guidelines for asbestos-"*Asbestos in Buildings: Simplify Sampling Scheme for Friable Surfacing Materials.*" and the direction of the Department of Environmental Protection (DEP) to perform the bulk sample collection and analysis. Additionally, ALC provided on site Third Party Air Monitoring and Project Management, which included performing area air sampling on each floor of the building, supervising the clean-up activities in specific apartments where minimal asbestos was found-even though further analysis at a second laboratory showed the results to be below the permissible limits-, performing quality assurance inspections and monitoring the work practices of the Asbestos Abatement Contractor. Air Sampling was conducted in accordance with Federal State and Local regulations including New York City Department of Environmental Protection (NYC-DEP) Title 15, Chapter 1, Asbestos Control Program Subchapter D, "Air and Bulk Sampling, Monitoring and Analysis: and New York State Department of Labor Industrial Code Rule 56 (NYS-DOL ICR56) Section 56-17 "Air Sampling, Monitoring and Analysis."

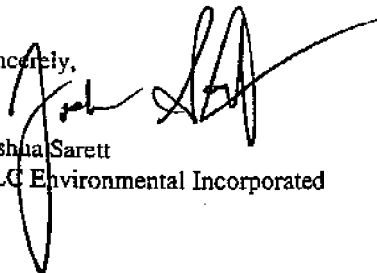
ALC is licensed to perform asbestos activities by the State of New York Department of Labor (License # 00-0358). ALC employs only certified asbestos personnel to perform required tasks. The following personnel were used to perform asbestos air monitoring and/or asbestos inspections.

Project Manager Inspector/Project Monitor: Americo Rodriguez Jr. (License #AH 89-07160)
Inspector: Alvin R. Blake (License #AH 00-08397)
Sampling Technician: Alvin B. Blake (License #AH 01-03528)

ATC Associates 104 East 25th Street New York, New York analyzed all samples. Further analysis was performed by SciLab 117 East 30th Street New York, New York.

If you have any questions or comments please do not hesitate to contact us directly at 212-279-1001.

Sincerely,


Joshua Sarett

ALC Environmental Incorporated

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2.0 Executive Summary

ALC Environmental Incorporated (ALC) has been retained to perform bulk sampling, visual assessments & air monitoring according to the *EPA Protocol* to determine the presence of asbestos at the above referenced project. Every apartment in the building was assessed by our inspectors for dust and debris. Any area where visible dust and debris was found, ALC's inspectors took a sample, which was then sent to a third party independent laboratory for analysis. In most cases there was insufficient debris to sample and a visual assessment only was performed. If any areas were found to be positive after analysis, they were sent to another laboratory for further analysis and quality control. All confirmatory samples analyzed were found to be below the permissible limits for asbestos.

However, certified asbestos abatement contractors hired independently by the owner, were used to clean the specific apartment found to be in question. Upon satisfactory cleaning and following a visual inspection by ALC samples were collected and analyzed via Transmission Electron Microscopy (TEM) sampling. All air samples were found to be below the permissible limits.

ALC then collected TEM samples on every floor in the building. The air sampling and analysis was 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 Alvin B. Blake, a licensed sampling technician (AH#01-03528) under the supervision of Americo Rodriguez Jr., a licensed project monitor (AH# 89-07160). The visual assessment and bulk samples were collected by, A.R. Blake a NY State Asbestos Inspector (AH#00-08397) and Americo Rodriguez, a NY State Asbestos Inspector (AH#89-07160).

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

3.0 Definitions

Air Sampling: Process of measuring the fiber content of a known volume of air collected during a specific period. The procedure utilized for asbestos follows the NIOSH Standard Analytical Method 7400, or the provisional transmission electron microscopy methods developed by the US EPA which are utilized for lower detection levels and specific fiber identification.

Asbestos: Any hydrated mineral silicate separable into commercially usable fibers, including but not limited to chrysotile (serpentine), amosite (cummingtonite-grunerite), crocidolite (riebeckite), tremolite, anthophyllite and actinolite.

Asbestos-Containing Material (ACM): Asbestos or any material containing more than one-percent asbestos.

Clearance Air Monitoring: Employment of aggressive sampling techniques with a volume of air collected to determine the airborne concentration of residual fibers and shall be performed as the final abatement activity.

ELAP: Environmental Laboratory Approval Program administered by the New York State Department of Health.

EPA or USEPA: United States Environmental Protection Agency.

Homogeneous Work Area: Portion of the Work Area that contains one type of ACM and/or where one type of abatement is used.

Phase Contrast Microscopy: "PCM" shall mean the measurement protocol for the assessment for the fiber content of air. For PCM analysis, the clearance air monitoring shall be considered satisfactory when every sample is less than or equal to 0.01 f/cc or the background concentrations, whichever is greater.

Polarized Light Microscopy: "PLM" shall mean the measurement protocol for the assessment for the asbestos content of bulk materials. For PLM analysis, the New York City and EPA Regulatory limit is 1.0%.

Transmission Electron Microscopy: "TEM" shall mean the measurement protocol for the assessment for the asbestos fiber content of air. For TEM analysis, the clearance air monitoring shall be considered satisfactory when the requirements stated in 40 CFR Part 763, Subpart E, Appendix A, Section IV are met. For the purposes of our testing the regulatory limit is 70 asbestos structures per mm².

4.0 Scope of Work

4.1 Bulk Sampling Procedures

ALC's licensed technicians worked under the guidance provided by the EPA guidelines for asbestos-*"Asbestos in Buildings: Simplify Sampling Scheme for Friable Surfacing Materials."* This sampling procedure uses random sampling to ensure that the samples are representative of the sampling area. ALC's inspectors:

1. Identified all friable surfacing materials and grouped them into homogenous sampling areas by floor
2. Prepared diagrams of each sampling area
3. Determine the number of samples to collect (9 samples per homogenous areas are recommended) Determine sampling locations
4. Collect samples
5. Fill out chain of custody
6. Send samples to a qualified laboratory

Due to the insufficient amount of dust and debris in the apartment units and public areas of the building, we were unable to collect the optimum number of samples suggested in the above referenced guidelines.

Upon completion of the initial assessment and bulk sample collection, ALC determined that there were elevated asbestos levels in *one apartment*. With the guidance of the above referenced document and NYCDEP we went back to each floor and assessed each apartment on each floor for visible dust and debris.

If any dust and/or debris was found in the apartment we collected a bulk sample and sent it to the laboratory for analysis.

If no sample could be taken due to insufficient material present at the time we were in the apartment, the inspector documented this on the log.

4.2 Air Sampling Procedures

ALC's licensed technicians collected air samples using TEM Methodology. The technician collected five (5) air samples on each floor. The samples were taken in three (3) apartments and at two separate areas in the hallways on each floor. The technician identified the locations that appeared to contain the most visible dust and debris to perform sampling.

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.

4.3. 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.

Findings and Conclusions

Twelve (12) initial background air samples were collected and analyzed at building 400. Twelve (12) samples were analyzed via phase contrast microscopy (PCM) and two (2) were analyzed via Transmission Electron Microscopy (TEM). All were below the permissible limits.

Based on EPA Guidelines, we collected one hundred fifty-eight (158) bulk samples and analyzed them via Polarized Light Microscopy (PLM) Methodology. One (1) sample collected from one apartment was found to be slightly above the regulatory limits of 1%. Zero (0) were found to be above the regulatory limits upon further analysis at a second laboratory for quality control purposes. However, certified asbestos abatement contractors hired independently by the owner, were used to clean the specific apartment and the areas were cleared by ALC via TEM air sampling. All air samples were found to be well below the permissible limits and the tenants where this cleaning took place have been notified of the clearance.

One hundred seventy (170) air samples were collected and analyzed via TEM Methodology. The results indicated that the living areas achieved the acceptance criteria below <70 structures per mm² set by the above regulations.

6. 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.

5569

Asbestos AIR-BN

Client:

Mid-State

Sampled By:

A. Kozlovich Jr.

Rotometer #:

#2

Work Area:

375 Southend ave. Bldg 400 - Various Apts -

Project:

On Case # 2005

Sample # Lab #	Sample Location	Code	Time		Total Minutes	Flow Rate		Total Volume	# Fibers /100 Fields	Results (Use)
			Start	Stop		Start	Stop			
1	Apt # 355 - Living Rm.	4	1030	1130	60	10.0	10.0	600	6/100	<0.008
2	Apt # 35A - Living Rm.	4	1031	1131	60	10.0	10.0	600	10/100	0.008
3	Apt # 35H2 - Living Rm.	4	1032	1132	60	10.0	10.0	600	7/100	<0.008
4	Apt # 20N - Living Rm.	4	1045	1145	60	10.0	10.0	600	9/100	<0.008
5	Apt # 20A - Living Rm.	4	1046	1146	60	10.0	10.0	600	7/100	<0.008
6	Apt # 20H - Living Rm.	4	1047	1147	60	10.0	10.0	600	11/100	0.009
7	Apt # 10H - ? Living Rm.	4	1300	1400	60	10.0	10.0	600	7/100	<0.008
8	Apt # 10F - Living Rm.	4	1301	1401	60	10.0	10.0	600	4/100	<0.008

Codes

1. Pre-Test
2. Project

3. Final
4. Investigative

5. Personal
6. During

A. Aggressive
D. Dormant

I. Inside Work Area
O. Outside Work Area

H. Excursion
T. TWA

Analysis

☐ TEM AHBR
☐ TEM Philadelphia

☒ PCM NIOSH 7400

Turnaround

☐ ASAP
☐ 2 Day (48hr)

☒ Same Day (12hr)
☐

Relinquished

Analyst

Date/Time

9/26/01 2030

Received KTC LAB

Disposal By/Date

Date/Time 9/26/01 1700

Tech J.R. 9/27/01 85.00

115 West 30th Street • 11th Floor • New York, New York 10001 • 212.279.1001 • 888.466.3620 • Fax: 212.279.6747

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 Client: Mid-State 2PM 575-59576
 Sampled By: A. Porriore Jr. Rotometer #: #2
 Work Area: 375 Southend Ave. Bldg. 400 - Various Apts Project: Cassette Station

Sample # Lab #	Sample Location	Code	Time		Total Minutes	Flow Rate		Total Volume	# Fibers /100 Fields	Results (f/cc)
			Start	Stop		Start	Stop			
9	Apt #10M - Living Rm.	4	1302	1402	60	10.0	10.0	600	3/100	0.008
10	Apt #35J - Living Rm.	4	1415	1515	60	10.0	10.0	600	10/100	0.008
(11)	Apt #3L - Living Rm.	4	1416	1516	60	10.0	10.0	600	19/100	0.016
(12)	Apt #3H - Living Rm.	4	1417	1517	60	10.0	10.0	600	28/100	0.023
13	Field Blank								0/100	-
14									0/100	-

Codes: 1. Pre-Test 3. Final 5. Personal A. Aggressive 1. Inside Work Area B. Excavation
 2. Project 4. Investigative 6. DUKING D. Dormant O. Outside Work Area T. TWA

Analysis: ☐ TEM AMBERA ☒ TEM Philadelphia ☒ PCM NIOSH 7400 Turnaround: ☐ ASAP ☒ 2 Day (48hr) ☒ Same Day (12hr)

Relinquished: [Signature] Date/Time: 03/26/01 2:30 Received: FTC Lab Date/Time: 03/26/01 1:10
 Analyst: [Signature] Disposal By/Date: TEM JD 7/27/01 15:00

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 Fax 212.353.8306

September 27, 2001

Environmental
 30th Street
 New York, NY 10001
 Attn: Mr.

Re: Report of TEM Analysis

Dear Mr.

Following are the results of transmission electron microscopy (TEM) analysis of two PCM air samples from our Group No. 5569:

Client: Mid-State
 Project Name: 375 Southend Avenue
 Location: Apartments 3L and 3H, Building 400
 Samples received in TEM Lab: 09/27/01

These results will confirm and document the data transmitted to you today. The analyses were performed in strict conformance with the methodology of the NIOSH method 7402, Issue 2, August 15, 1994.

Forty grid openings from each of the samples were examined at relatively low magnifications (approximately 1,000X and 10,000X) for structures greater than 5um in length and widths between 0.25um and 3um, and having a length-to-width ratio greater than 3:1. These structures would be large enough to be observed by PCM analysis. Non-asbestos structures were detected in the samples in the following proportions:

sample number	gypsum	cellulose	F/CC as Asbestos
11	0.0%	100.0%	0.0
12	55.7%	44.3%	0.0

As a consequence, no sample exceeds 0.01 F/CC as asbestos.

The analyses were supervised by Dr. Michael A. Gorycki, Director of Electron Microscopy. These analyses were performed by ATC d/b/a ATC Associates Inc. This report may be reproduced only in its entirety and not without prior permission of this laboratory.



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New York, New York 10010
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212.353.8280
Fax 212.353.8306

We are pleased to note that our TEM lab has received full accreditation from NVLAP and also approval under the NY State DOH program, as is currently required for recognized analysis of air samples for AHERA projects.

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". The signature is fluid and cursive, written over the typed name.

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



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

October 11, 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. 5661.

Client: Gateway Plaza Mngt. Corp.
Project Name: Building 400 at Gateway Plaza - 375 South End Ave.
Location: Various Sites
Samples received: 10/10/01

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, less than 70 asbestos structures per mm² was detected in all of the twenty-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,

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

03563

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104 East 25th Street
New York, New York 10010
www.atc-enviro.com
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October 9, 2001

ATC 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. 5642.

Client: Midstate/Lefrak, Gateway Plaza
Project Name: Bldg. 400, 375 South End Avenue, NY, NY
Location: Various Sites
Samples received: 10/09/01

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 thirty 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,

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

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104 East 25th Street
New York, New York 10010
www.atc-enviro.com
212.353.8280
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October 9, 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. 5641.

Client: Lefrak Organization
Project Name: Bldg. 400
Location: Various Sites
Samples received: 10/09/01

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, less than 70 asbestos structures per mm³ was detected in all of the twenty-nine 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". The signature is fluid and cursive, with the first name being the most prominent.

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

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October 8, 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. 5632.

Client: Midstate/Lefrak, Gateway Plaza
Project Name: Bldg. 400
Location: Various Sites
Samples received: 10/08/01

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 twenty-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,

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

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October 8, 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 an air sample from our Group No. 5640.

Client: Lefrak Organization
Project Name: Bldg. 400
Location: Apartment 10U
Sample received: 10/09/01

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 the single inside sample 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,

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

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Appendix A: Letter to Tenants for Re-Occupation

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CITY_21MC100_008879984



The First Choice for Environmental Testing & Consulting

October 16, 2001

Gateway Plaza Management Corporation
375 South End Avenue
New York, New York 10280

Via Facsimile

Subject: Gateway Plaza Building #400

Gentlemen:

ALC Environmental Incorporated (ALC) has been retained to perform bulk sampling, visual assessments & air monitoring according to the *EPA Protocol* to determine the presence of asbestos at the above referenced project. Every apartment in the building was assessed by our inspectors for dust and debris. Any area where visible dust and debris was found, ALC's inspectors took a bulk sample, which was then sent to a third party independent laboratory for analysis. In most cases there was insufficient debris to sample and a visual assessment only was performed. Additionally, air sampling was performed using TEM Methodology on every floor in the building.

Twelve (12) initial background air samples were collected and analyzed at building 400. Twelve (12) samples were analyzed via phase contrast microscopy (PCM) and two (2) were analyzed via Transmission Electron Microscopy (TEM). All were below the permissible limits.

Based on EPA Guidelines, we collected one hundred fifty-eight (158) bulk samples and analyzed them via Polarized Light Microscopy (PLM) Methodology. One (1) sample collected from one apartment was found to be slightly above the regulatory limits of 1%. Zero (0) were found to be above the regulatory limits upon further analysis at a second laboratory for quality control purposes. However, certified asbestos abatement contractors hired independently by the owner, were used to clean the specific apartment and the areas were cleared by ALC via TEM air sampling. All air samples were found to be well below the permissible limits and the tenants where this cleaning took place have been notified of the clearance.

ALC then collected air samples on every floor in the building. The air sampling and analysis was 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.

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CITY_21MC100_008879985

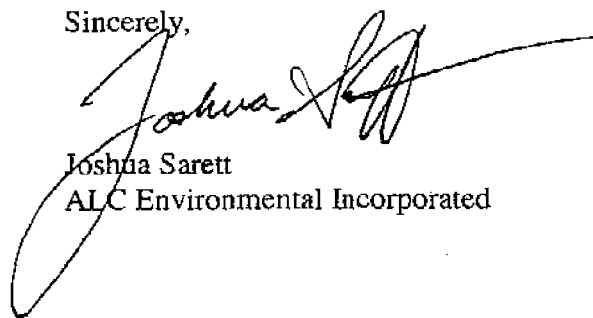
One hundred seventy (170) air samples were collected and analyzed via TEM Methodology. **The results indicated that the living areas achieved the acceptance criteria below <70 structures per mm2 set by the above regulations.**

ATC Associates (ELAP #10879) analyzed the samples using the Polar Light Microscopy (PLM) Methodology and the Transmission Electron Microscopy (TEM) Methodology.

The air samples were collected by licensed technicians.

Tenants may re-occupy their apartments at the present time.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Sarett", is written over the typed name and company name.

Joshua Sarett
ALC Environmental Incorporated

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**Appendix B: Letter to Tenants in Apartments where
Final Air Clearance Was Performed**

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The First Choice for Environmental Testing & Consulting

October 9, 2001

Gateway Plaza Management Corporation
375 South End Avenue
New York, New York 10280

Via Facsimile

Subject: Final Air Clearance Sampling: Gateway Plaza 375 South End Avenue Building 400: Apartment-10U

Gentlemen:

ALC Environmental Incorporated (ALC) (License #00-0358) has been retained to perform bulk sampling, visual assessments & air monitoring according to the *EPA Protocol* to determine the presence of asbestos at the above referenced project.

Based on EPA Guidelines, we collected one (1) bulk sample from this apartment and analyzed it via Polarized Light Microscopy (PLM) Methodology. One sample collected from this apartment was found to be slightly above the regulatory limits of 1% by weight. The sample was then forwarded to a second laboratory for further analysis and was determined to be below the regulatory limits. (See Attached Results)

Approved Asbestos Abatement Inc. (License #99-1184), a certified asbestos abatement contractor hired independently by the owner, was used to clean this specific apartment.

Upon completion of the asbestos clean up procedures, a visual inspection was conducted in Apartment 10U of the 400 building at Gateway Plaza. No visible asbestos containing material (acm) or debris was observed, ALC then performed final air clearance sampling.

The areas were cleared by ALC via Transmission Electron Microscopy (TEM) Methodology. **The results indicated that the work areas achieved the acceptance criteria well below <70 structures per mm² set by the above regulations.**

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.

West 30th Street • 11th Floor • New York, New York 10001 • 212.279.1001 • 888.466.3620 • Fax: 212.279.6747

Office: The Bellevue • Suite 600 • 200 S. Broad Street • Philadelphia, PA 19102 • 215.732.9499 • 888.789.8378 • Fax: 215.732.9555

www.ALCEnvironmental.com

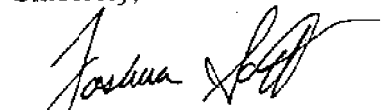
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The air samples were collected by Y. Benyaguya a licensed sampling technician (AH#95-21191) under the supervision of Americo Rodriguez Jr., a licensed project monitor (AH# 89-07160)

ATC Associates, a qualified laboratory (ELAP #10879, NVLAP #101187)) analyzed the bulk samples and air samples using the Polarized Light Microscopy (PLM) and Transmission Electron Microscopy (TEM) Methodology. Additionally, further analysis was performed by Scientific Laboratories Inc., a qualified laboratory (ELAP #11480 NVLAP 101904-1)

Sincerely,



Joshua Sarett
ALC Environmental Incorporated