

EXHIBIT 20

The City Repeatedly Proclaims the Air of Lower Manhattan to be Safe Following the World Trade Center Collapse

September 12, 2001:

Mayor's Office

Mayor Giuliani assured New Yorkers, "*The air is safe as far as we can tell of chemical and biological agents.*"

"Air quality as far as we can tell ... is not dangerous," the mayor said.

"Asbestos is in the air as long as you are not in the epicenter, it is not at dangerous levels."

Health Commissioner Neil Cohen said, "*We're monitoring air pollutants. You have to keep testing.*" "*So far it is safe,*" he said

(SOURCE: NY Digging for Dead, Survivors, UPI, September 12, 2001, article with these quotes attached, below)

September 16, 2001:

New York City Department of Health

"Based on the asbestos test results received thus far, the general public's risk for any short or long term adverse health effects are very low."

"The Health Department has produced a Public Health Advisory for residents and people returning to work in the nearby area. Residents and workers are advised to guard against dust and soot which can cause respiratory symptoms and eye and throat irritation."

(SOURCE: Department of Health Provides Health and Safety Precautions and Conducts Essential Public Health Activities, September 16, 2001, press release with these quotes attached, below)

September 17, 2001:

Mayor's Office

"Tomorrow, both City Hall and the New York Stock Exchange -- two powerful symbols of America, one of freedom, the other of free enterprise - will be open for business. City workers will begin to return to work in Lower Manhattan. The private sector will begin to return to business as usual. And more of our streets and subway stops will be open and functioning."

*"All buildings to which City workers will be asked to report tomorrow have been inspected and found structurally sound. **All central air conditioning and ventilation systems have been cleaned, and air quality has been tested and deemed safe**"*

(SOURCE: Mayor Giuliani Announces Details on Further Opening of Lower Manhattan for Monday, September 17, 2001, press release with these quotes attached, below)

September 28, 2001:

Mayor's Office

The mayor dismissed concerns about air quality near the World Trade Center, which contained asbestos. *"**Although they occasionally will have an isolated reading with an unacceptable level of asbestos ... it's very occasional and very isolated. The air quality is safe and acceptable.**"*

(SOURCE: Giuliani: Recovery, Cleanup Could Take a Year, CNN, September 28, 2001, article with these quotes attached, below)

October 5, 2001:

New York City Department of Health

*“As work continues at the disaster site, the presence of dust and smoke odor in the downtown area has been of understandable concern to residents. However, air monitoring by Federal, State and City agencies has indicated that the **levels of particulate matter being detected are below the level of public health concern and do not pose long-term health risks to the general public.**”*

(SOURCE: NYC Health Department Responds to Concerns About Air Quality in Lower Manhattan, October 5, 2001, press release with these quotes attached, below)

February 11, 2002:

New York City Department of Health

*“Many individuals were exposed to large amounts of smoke, dust, and airborne substances. The potential release of contaminants during and after the disaster was a primary public health concern from the beginning. Air monitoring was established immediately, and continues. **The Health Department reviews the numerous air quality, debris sample results and personal air monitoring tests being conducted by various agencies. The data from air quality tests thus far have been, in general, reassuring. None of the test results done to date would indicate long-term health impacts.**”*

*“**No elevated levels of asbestos in indoor air.**” (study of residential buildings)*

(SOURCE: Sworn Testimony of City Health Commissioner Thomas Frieden to U.S. Congressional Committee, February 11, 2002, transcript with these excerpts attached, below)

February 11, 2002:

New York City Department of Environmental Protection

*“Based on all Federal, State and local test results, **public health experts have consistently expressed confidence that, based on sampling, airborne asbestos levels do not pose a threat to human health.**”*

SOURCE: Sworn Testimony of City Environmental Protection Commissioner Joel Miele to U.S. Congressional Committee February 11, 2002, transcript with these excerpts attached, below)

October 31, 2009:

Mayor’s Office (Bloomberg)

The current mayor of New York City, Michael Bloomberg says the health study does not prove a direct link to conditions at the site: *“**There is no way to tell for sure ... and you have to be very careful. If I say I've got something because of this, it's just not the way science works.**”*

(SOURCE: Health Problems of 9/11 Rescuers in New York Continue Five Years After Terrorist Attack, Voice of America, October 31, 2009, article with these quotes attached, below)

UPI ARCHIVES SEPT. 12, 2001

NY digging for dead, survivors

By WILLIAM M. REILLY



NEW YORK, Sept. 12 -- New York City Mayor Rudolph Giuliani said late Wednesday they had recovered 82 bodies from the carnage of the World Trade Center, which was attacked by hijacked planes Tuesday.

As the aircraft carrier George Washington floated just off the coast, bodies were slowly extracted from the rubble of New York's World Trade Center towers.

Five people have been brought out alive but thousands remain missing and the families of 2,500 have showed up at an armory converted into a family center.

Wednesday rescue teams with hearing and sniffer dogs, sensitive microphones, and cameras, poked through the mass of steel and glass that once were the showcases of lower Manhattan, and the center of much of the world's financial business.

In addition to thousands missing, Giuliani said earlier Wednesday that some 300 firefighters, 40 New York City police officers and 30 Port Authority officers had still not been found. Later, he confirmed that 82 bodies have been recovered.



Giuliani said the family center was operating at Bellevue but much bigger space needed. If we are going to service two or three or 4,000 thousand people we're going to need a lot bigger space.

Asked if he thought some bodies may have been "burned up in the fires," he replied, "I think we have to face these things as we have to deal with them. I don't know the answer to that."

Also Wednesday the 1 Liberty Plaza building just south of the World Trade Center, partially collapsed after evacuation with no serious injuries, the Fire Department said. Nearly simultaneously, a secondary collapse at adjacent WTC Tower

Fire Commissioner Thomas Von Essen addressed the near collapse of No. 5 WTC in a briefing.

There were seven buildings in the World Trade Center.

"We expected it to fall. We had been working on it trying to get as much of the fire out and debris removed as we could and it collapsed," he said.

Asked about possible collapse of the Millennium Hotel east across Church Street from the World Trade Center, he said, "We'll be able to give you a better report tomorrow (Thursday)."

Some Battery Park City residents, along the Hudson River, have also been ordered out of their homes.

"We're going back in there and assess the buildings and the air quality. If we have to move people out of the other building, we will but we hope we won't have to," said Von Essen.

Asked if other buildings were unstable too, he said, "We don't think so, but we are going to reassess all of the buildings."

At the briefing, Guiliani said New York City requested 6,000 body bags from FEMA.

When questions about "tangible evidence" such as cell phone calls or tapping indicating people were still alive in the rubble, he said, "We've had information like that all throughout the day. Sometimes information like that worked out and we've been able to find a person, but I don't know of any current information like that.

this, they are literally putting their lives at risk to try to find people and save them or to find their remains."

He was unable to put a number to the total fatalities expected. "We are talking about thousands of people, and I don't think beyond thousands we can be any more precise than that," he said.

Grief-stricken relatives and friends of people who are missing have been showing up at Bellevue Hospital and at New York University Medical Center to check lists and seek word on their loved ones. Many carried photographs that they showed to television cameras.

Ellen Borakove, spokeswoman for the medical examiner, said families of the missing are being sent to NYU, next to the morgue, where they are being supplied with identification kits.

The kits, provided by federal Disaster Mortuary Teams, ask for personal information, dental records, photographs and descriptions of possible clothing being worn, to help with identification.

Borakove said all bodies are being brought to the morgue, where they are identified, before being sent to any other facility.

In the five-story rubble of the towers, some pockets of fire remain. Thick gray and white smoke continued to blanket lower Manhattan, already covered by a thick coat of gritty dust.

As clamshell cranes grab bites of rubble, they are inspected for bodies and body parts before being loaded on dump trucks and taken to the Fishkill Landfill on Staten Island where police and

Giuliani has appealed for help in finding the four flight recorders, the "black boxes" that could give vital clues to what happened before the two hijacked planes sliced into the towers early Tuesday, triggering a holocaust that may have killed thousands.

Although there were 18 special search-and-rescue teams in the area, some were idle because conditions made it difficult to work.

Roger Tobias of Pennsylvania Task Force One was in New York when the attack occurred and rushed to volunteer.

"We can't go in until the smoke gets down," he told United Press International. He said the building had pancaked and teams were using special cameras and microphones to search.

"We believe survivors will be minimal, except for pockets and voids," he said. "But we don't want to leave here until everyone possible is accounted for."

Peter Kirkiles, a volunteer rescue worker, said he had worked for about four hours passing pieces of metal, bucket-brigade style, from the rubble.

"I feel like I played a couple of football games," he said.

Another volunteer, city transit worker Bill Crowley, said he was working Wednesday morning searching for victims when they found a fireman.

"They found him underneath the rubble. They pulled him out and worked on him and he was alive, and everyone clapped."

"They're finding body parts," he said.

"These guys don't know the meaning of tired. They're like mountain climbers." He said he saw one fireman working two stories down in a hole searching for victims.

Authorities are continuing to appeal for assistance and for blood.

An ominous sign was the lack of activity at the local hospitals.

St. Vincent's, the closest hospital to the World Trade Center, said it had only four injured Wednesday, after admitting 365 Tuesday. Most were rescue workers with eye injuries, respiratory problems or cuts.

Mark Ackerman, the hospital's spokesman, said the lack of patients was "very frustrating, especially for some of the nurses who have husbands in the Fire Department whom they haven't heard from for 24 hours. But they are still working."

At Bellevue, they had received 230 people, including 75 firefighters, and 21 police officers.

In the search-and-rescue effort, dust has become a major problem.

"The dust is a concern because it is pulverized concrete and drywall and it contains very fine particles that can cause respiratory problems for days after exposure and can set off asthma," said Russ Reeves, a structural engineer in Albany, N.Y. "I expect anyone working in the recovery area for any long period of time will be wearing a respirator."

masks, Giuliani assured New Yorkers, "The air is safe as far as we can tell of chemical and biological agents."

He warned, however, of "irritation to the throat and eyes" from debris dust, mostly concrete and dry-wall sheet rock.

"Air quality as far as we can tell ... is not dangerous," the mayor said. "Asbestos is in the air as long as you are not in the epicenter, it is not at dangerous levels."

Health Commissioner Neil Cohen said, "We're monitoring air pollutants. You have to keep testing." So far it is safe, he said.

With the change in wind Wednesday, blowing north-northeast, the smoke and dust could be felt in Midtown, even near the United Nations on the East River. The Trade Center is just off the Hudson River on the West Side.

Adding to the day's fear and confusion, the Empire State Building was the target of bomb threats. But security officials at what is now once again New York's tallest building said a search of the premises found no bomb and the building will reopen Thursday for tenants only.

Elsewhere in New York, bomb threats also forced the closing of two of the four border crossings from Canada to Buffalo and Niagara Falls N.Y. Wednesday causing massive traffic tie-ups.

The Lewiston Queenston Bridge was closed around 7 p.m. and the Whirlpool Bridge was shut down all day. Traffic stretched for miles along at the Lewiston-Queenston bridge, north of Niagara Falls.

Buffalo City Hall was evacuated Wednesday after receiving a threat around 3 p.m. and because of the lateness of the day, Mayor Anthony Massillon closed city hall and sent workers home. City hall also closed early Tuesday after receiving a threat.

Thursday there will be an extraordinary joint session of the state's legislature.

Gov. George Pataki said mass transportation was expected to be back in full operation. However, decisions had not yet been made to fully open the Lincoln and Holland Tunnels to New Jersey.

The city has been slowly restoring services. Trains, including Amtrak services, were coming into Grand Central and Penn Stations, and buses were running above 14th Street, as were the city subways.

Telephone and electric service was at a premium below 14th Street, but Giuliani said they hoped to restore service within a few days.

He said major corporations, including GE and Cisco, had donated millions of dollars to families of emergency workers who were victims.

Giuliani said once the rubble is cleared away, the city will rebuild. "There is no question we're going to rebuild. In what form has to be worked out," he said.

Around the Web

REVCONTENT

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Royce of Hearing Aids
(And Under \$100)

Oricle Hearing

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York Could Give
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\$185,000 in Cash-Out

Department of Health Provides Health and Safety Precautions and Conducts Essential Public Health Activities; September 16, 2001

Press Release

New York City Department of Health

Office of Public Affairs

FOR IMMEDIATE RELEASE

Sunday, September 16, 2001

IN RESPONSE TO THE WORLD TRADE CENTER DISASTER, NEW YORK CITY DEPARTMENT OF HEALTH PROVIDES HEALTH AND SAFETY PRECAUTIONS AND CONDUCTS ESSENTIAL PUBLIC HEALTH ACTIVITIES

Working closely with City, State and Federal agencies since September 11, the New York City Department of Health has been conducting several public health activities in response to the World Trade Center disaster. Foremost among these are monitoring air quality in the general vicinity of the World Trade Center, working with other agencies to ensure that worker safety measures for search and rescue workers are in place, conducting surveillance for illnesses and injuries at New York City Hospitals, and mobilizing environmental investigation teams to ensure the safety of the food and water supplies.

Monitoring Air Quality and Respiratory Issues

While excavation continues at the site, the Health Department has been monitoring the air quality tests being conducted by the U.S. Environmental Protection Agency (EPA) and the New York City Department of Environmental Protection (DEP). Workers who are involved in the recovery mission have been equipped with half-face masks and goggles, as well as protective clothing, to reduce exposure to any particulate matter including dust. Based on the asbestos test results received thus far, the general public's risk for any short or long term adverse health effects are very low. A fact sheet detailing DOH recommendations can be found on the DOH website at nyc.gov/health.

The Health Department has produced a Public Health Advisory for residents and people returning to work in the nearby area. Residents and workers are advised to guard against dust and soot which can cause respiratory symptoms and eye and throat irritation. Residents in the immediate area are advised to keep windows closed and to avoid strenuous outdoor activity in the area affected. A fact sheet detailing DOH recommendations can be found on the DOH website at nyc.gov/health.

Medical Surveillance

The New York City Department of Health is monitoring several medical issues throughout the City.

The Main Office of the NYC DOH has been temporarily relocated to 45 1st Avenue.

Staff are working on site in selected hospital emergency departments to assess event-related injury and illnesses which may occur subsequent to the World Trade Center disaster. To bolster the Department's efforts, Epidemic Intelligence Service (EIS) officers from the U.S. Centers For Disease Control and Prevention (CDC) are assisting in efforts to monitor diseases, conduct a medical and mental health needs assessment, identify health problems such as dust and allergic conditions, and to determine if there are any new medical needs. Testing done by the New York

City Department of Health immediately after the blast showed no evidence of any biologic or chemical agents.

Handling of Corpses

While health risks associated with the handling of corpses by the rescue workers are low, the Department of Health has recommended the use of universal precautions when handling human remains. This includes wearing face shields, protective garments, and heavy duty rubber gloves to prevent exposure to blood or body fluids, with attention to sharp fragments of bone and debris that can pose a risk of percutaneous injury. The decomposing remains of human bodies poses no environmental health risk to the general public.

Water Quality

The Health Department and the Department of Environmental Protection are monitoring water quality in the area around ground zero. Test results of the area north of blast zone are within acceptable limits, but tests are ongoing.

Food

The Health Department has prioritized permitted food establishments below Canal Street for inspection so that they may be operational as soon as possible. Environmental investigators are working with restaurant owners and the operators of other permitted food establishments to ensure safety of the food served. Additionally, the Health Department is overseeing the distribution of food served to rescue workers at the blast zone.

Pest Control

The Health Department is currently conducting a survey of the blast zone and the surrounding areas in lower Manhattan to assess the impact of the blast on rodent activity. Working in concert with other city agencies including the Mayor's Office of Emergency Management and the Department of Sanitation, Health Department crews will mobilize inspectors, exterminators, and clean-up crews to abate conditions conducive to rodent harborage, as necessary.

For more information, please visit the Health Department's website (nyc.gov/health). Fact sheets and public health advisories will be posted soon to address:

- Coping with post-disaster grief and despair;
- Air quality in the affected area of the World Trade Center disaster;
- Re-occupation of evacuated residential areas.

MAYOR GIULIANI ANNOUNCES DETAILS ON FURTHER OPENING OF LOWER MANHATTAN FOR MONDAY, SEPTEMBER 17, 2001

Borders of Closed Areas

Street Openings and Closings

Points of Entry Into Lower Manhattan

Open and Closed Subway Stops

Instructions for City and Private Sector Workers Who Work in Lower Manhattan

Mayor Rudolph W. Giuliani today announced that additional areas of Lower Manhattan will be open beginning tomorrow, September 17, 2001.

"Now is the time for New Yorkers to show the world--and especially those who perpetrated these attacks--how resilient we are," Mayor Giuliani said. "The City of New York and the United States of America will not be intimidated by terrorism. That's why we are determined to return the City to normal as quickly as possible, wherever and whenever it is safe to do so."

"Tomorrow, both City Hall and the New York Stock Exchange -- two powerful symbols of America, one of freedom, the other of free enterprise -- will be open for business. City workers will begin to return to work in Lower Manhattan. The private sector will begin to return to business as usual. And more of our streets and subway stops will be open and functioning."

The area bordered by Broadway to the East, the Hudson River to the West, Chambers Street to the North, and Rector Street to the South is a secure zone, and will remain completely closed to all but essential emergency personnel. **IF YOUR OFFICE IS IN THE SECURE ZONE, DO NOT REPORT TO WORK TOMORROW MORNING.**

South of Rector Street, East of Broadway, will also be closed to pedestrians, and all offices in this area will be closed.

South of Canal, West of Broadway, Lower Manhattan will be accessible to pedestrians **ONLY** by subway, bus or ferry. **PEDESTRIANS WILL NOT BE ALLOWED TO CROSS CANAL STREET BETWEEN BROADWAY AND THE RIVER INTO LOWER MANHATTAN.**

Pedestrians will be allowed to enter Lower Manhattan via Canal Street East of Broadway, and will be allowed to leave Lower Manhattan across Canal Street at any point.

The Holland Tunnel will remain closed to all but emergency vehicles. The Brooklyn Battery Tunnel will remain closed to all but emergency vehicles and express buses. In addition, the Brooklyn Bridge will remain closed to vehicular traffic, but will remain open to pedestrians. The Manhattan Bridge will be open to vehicular traffic. All other Port Authority and MTA bridges and tunnels will be **OPEN**.

The Staten Island Ferry will be running on its normal schedule. In addition, there will be a special free ferry service between Brooklyn and Lower Manhattan, with a free commuter bus connection in Bay Ridge. Passengers may take the ferry from the Brooklyn Army Terminal, at 58th Street and First Avenue, in Sunset Park Brooklyn to Whitehall in Lower Manhattan. The ferry will run every half-hour between the hours of 6 am and 9 pm, and 3 pm and 7 pm. There will be **NO BROOKLYN-MANHATTAN FERRY SERVICE** between 9 am and 3 pm.

The following changes have been made to the subway lines serving Lower Manhattan:

- Service on the 1/9 lines between Chambers Street and South Ferry has been suspended indefinitely.

- The World Trade Center station on the E line is CLOSED.
- The N/R line between Canal Street and Whitehall Street is CLOSED until further notice.
- Until further notice, 2/3 lines will bypass the Chambers Street and Park Place stations.
- Until further notice, the A/C lines will bypass the Chambers Street station.
- Until further notice, the 4/5 lines will bypass the Wall Street station.

There will be no express bus service below 23rd Street, and no local bus service south of Canal Street. Some bus routes serving Lower Manhattan will discharge and pick-up passengers at temporary bus stops along Water and Pearl Streets.

Subway and bus service information is subject to change on short notice. For the most current information, visit the MTA website at www.mta.nyc.ny.us.

In addition, the City and private vendors will operate buses from Brooklyn and Staten Island into Lower Manhattan, with stops along Water and Pearl Streets. For routes and schedules, please visit the DOT website at www.nyc.gov/calldot.

City Hall will be open for business and all City workers who work in City Hall should report to work. For City workers who work in any other building south of Canal Street, only essential personnel should report to work. Essential personnel will be identified by their Commissioner and contacted by a supervisor. **IF YOU ARE A CITY WORKER WHOSE BUILDING IS IN LOWER MANHATTAN AND YOU ARE NOT CONTACTED, DO NOT REPORT TO WORK.**

To enter their offices, all City personnel will be required to have TWO FORMS of identification: their City ID, and a driver's license, state identification card, or passport. In addition, all bags will be subject to search.

All buildings to which City workers will be asked to report tomorrow have been inspected and found structurally sound. All central air conditioning and ventilation systems have been cleaned, and air quality has been tested and deemed safe.

PLEASE NOTE: No window air conditioners -- in any building, public or private -- should be operated until you have verified that it has been professionally cleaned.

New Yorkers in need of City Services should contact the relevant agency at a location outside Lower Manhattan. For locations, please consult www.nyc.gov. New Yorkers should be aware that telephone service to City Agencies in Lower Manhattan is limited at best. Calls should be directed to offices at other locations.

Private sector employees should not report to work at any building within the frozen zone, as outlined above. All others should contact their employer for information on the status of their building.

Businesses and landlords in need of assistance are encouraged to call the Business Helpline at (718) 03-2220. Also, businesses and landlords are required to ensure that their space has been thoroughly inspected and deemed safe before it is re-occupied. A checklist of key criteria can be obtained from the City's website at www.nyc.gov. The City asks that all landlords and business opening their properties in Lower Manhattan complete the checklist and remit the data to the City either on-line or via fax at (646) 09-2079. Those with questions about the form should call (212) 8-1-98, to speak to a Department of Buildings representative.

Giuliani: Recovery, cleanup could take a year

September 28, 2001 Posted: 7:22 PM EDT (2322 GMT)



A police officer uses a dog to search the rubble of the World Trade Center.



NEW YORK (CNN) -- Tons of rubble and a host of structural, logistical and safety challenges could extend recovery and cleanup efforts in Lower Manhattan at least a year, Mayor Rudy Giuliani said Friday.

Workers already have removed around 134,000 tons of debris from around the World Trade Center complex, but more than 1 million more tons of rubble remain.

"The amount of time they will need to remove and clear the site will range anywhere from nine months to one year because of the complexity they believe they will face," Giuliani said.

The most difficult task, the mayor explained, could come after workers remove all the surface material and debris from the site, which includes the wreckage of the two 110-story towers. Their collapse drove some of the structures and material deep into the ground, he said.

Meanwhile, New York Police Commissioner Bernard Kerik said the Organized Crime Control Bureau and the Trade Waste Commission are investigating the theft of debris from the disaster site. The stolen material was taken to two locations in New Jersey and one in Long Island, and Kerik said police have not established a motive.

The official number of people missing in the rubble dropped to 5,960 on Thursday after a recheck of missing persons reports, Giuliani said. The police department is drawing its numbers from six different sources, meaning there is the possibility of duplication.

The mayor said 306 deaths have been confirmed, and 238 of the dead have been identified.

Dr. Robert Shaler, chief of forensic biologist in the New York City medical examiner's office, told The Associated Press that most victims examined died from "blunt trauma," and others from burns, smoke inhalation and injuries from sharp debris.

Giuliani said he attended the wakes of three firefighters Thursday night and hoped to attend at least eight upcoming funerals, praising the thousands of people who also have turned out to honor the dead and comfort their families.

"I was really very, very much impressed and strengthened by ... the turnouts," the mayor said. "It was very comforting for the families to be able to see thousands of people showing up out of respect."

A total of 8,786 people have reported injuries from the September 11 attacks on the World Trade Center, Giuliani said.

The mayor dismissed concerns about air quality near the World Trade Center, which contained asbestos.

"Although they occasionally will have an isolated reading with an unacceptable level of asbestos ... it's very occasional and very isolated," Giuliani said. "The air quality is safe and acceptable."

VIDEO

CNN's Beth Nissen talks with NYC Fire Department's Emerald Society of Pipes and Drums who are playing to mourn their comrades (September 28)

Play video
(QuickTime, Real or Windows Media)

Donations are making their way to victims' families and others affected by the attack. Correspondent Hillary Lane reports (September 28)

Play video
(QuickTime, Real or Windows Media)

September 11, 2001 : Attack on America

NYC Health Department Responds to Concerns About Air Quality in Lower Manhattan;

October 5, 2001

Press Release

New York City Department of Health

Office of Public Affairs

FOR IMMEDIATE RELEASE

Friday, October 5, 2001

**NYC HEALTH DEPARTMENT RESPONDS TO CONCERNS ABOUT AIR QUALITY
IN LOWER MANHATTAN**

New York City Health Commissioner Neal L. Cohen, M.D., today informed New Yorkers that despite the smoky conditions in areas of lower Manhattan that are close to the World Trade Center site, test results from the ongoing monitoring of airborne contaminants indicate that the levels continue to be below the level of concern to public health. Nonetheless, while debris continues to be disturbed, and while flare ups of smoke continue to permeate the downtown area, air testing results will continue to be monitored, and appropriate health recommendations will be issued as necessary.

Dr. Cohen added, “As work continues at the disaster site, the presence of dust and smoke odor in the downtown area has been of understandable concern to residents. However, air monitoring by Federal, State and City agencies has indicated that the levels of particulate matter being detected are below the level of public health concern and do not pose long-term health risks to the general public. Some individuals with underlying respiratory conditions, such as asthma, may experience exacerbation of symptoms, and other persons may also experience short-term discomfort including irritation of the eyes, nose, and throat.”

In addition to air monitoring activities, efforts are being made daily to suppress dust and smoke at the World Trade Center disaster site. Results of daily dust sampling conducted by the U.S. Environmental Protection Agency is available online at epa.gov. Fact sheets detailing Health Department recommendations pertaining to air quality, asbestos, safely re-occupying homes and buildings, and worker safety are available online at nyc.gov/health. For more information about all Health Department activities, New Yorkers can call (212) 227-5269.

S. HRG. 107-524, Part I

**AIR QUALITY IN NEW YORK CITY AFTER THE
SEPTEMBER 11, 2001 ATTACKS**

FIELD HEARING
BEFORE THE
SUBCOMMITTEE ON CLEAN AIR, WETLANDS, AND
CLIMATE CHANGE
OF THE
COMMITTEE ON
ENVIRONMENT AND PUBLIC WORKS
UNITED STATES SENATE
ONE HUNDRED SEVENTH CONGRESS
SECOND SESSION
ON
AIR QUALITY IN NEW YORK CITY AFTER THE SEPTEMBER 11, 2001
ATTACKS

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FEBRUARY 11, 2002—NEW YORK CITY
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Printed for the use of the Committee on Environment and Public Works



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JON S. CORZINE, New Jersey	BEN NIGHTHORSE CAMPBELL, Colorado

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AIR QUALITY IN NEW YORK CITY AFTER THE SEPTEMBER 11, 2001 ATTACKS

MONDAY, FEBRUARY 11, 2002

U.S. SENATE,
COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS,
SUBCOMMITTEE ON CLEAN AIR, WETLANDS,
AND CLIMATE CHANGE,
New York, NY.

The subcommittee met, pursuant to notice, at 9:30 a.m. at the Alexander Hamilton U.S. Customs House, One Bowling Green, New York, NY, Hon. Joseph Lieberman (chairman of the subcommittee) presiding.

Present: Senators Lieberman and Clinton.

Also present: Congressman Nadler.

OPENING STATEMENT OF HON. JOSEPH I. LIEBERMAN, U.S. SENATOR FROM THE STATE OF CONNECTICUT

Senator LIEBERMAN. Good morning. As people are coming in, let me—I know there's a security screening which is delaying some folks, so why don't we begin because we have a full morning and a number of witnesses. I would ask the folks who are here to try to take their seats.

Senator Clinton and I will make our opening statements, then we'll go to Congressman Nadler as the first witness.

I want to call this hearing of the Senate Subcommittee on Clean Air to order. I want to begin by thanking Senator Clinton for her leadership on this problem. The fact is that this subcommittee hearing would not be occurring here this morning, were it not for Senator Clinton's concerns and for her advocacy.

Five months ago today, just blocks from this site, tragedy struck this Nation and this city like never before. This great city particularly, the center of so much life and energy and the place where so many American dreams have been born and realized, was struck at its heart. The terrible images of that day will forever be seared into our souls and into our psyches.

Now as we work together to ensure that such an attack never happens again, we know that we will never forget the 3,000 loved ones and fellow citizens we lost, nor will we ever cease to be inspired by their lives or by the lives of the rescue workers whose heroism has rewritten the word for this new century. The consequences of that day to our society, our culture and our Government are great, and they seem to be growing every day.

But today we've gathered to discuss a particular problem: the public health consequences of the attacks on the World Trade Cen-

ter for the men and women who live and work here and for the children who go to school here. Especially for the workers whose tireless efforts in the cleanup and recovery of the site have reminded so many of us of what's best in America.

We return to the scene of the crime, a horrific war crime, to examine its consequences, continuing consequences, on the people of New York City. Because the fact is that we cannot allow the lingering consequences of September 11th to do any more damage to the health and well-being of the people of New York. When those two towers tumbled down, they brought tons and tons of building materials with them, releasing large quantities of dangerous chemicals into the air.

I know that there are serious concerns about the level of asbestos and benzene and heavy metals at and around the site. Workers at Ground Zero, from firefighters to police officers, to the construction workers and the sanitation workers and so many others, have reported respiratory ailments, mostly complaining of the newly-named "World Trade Center cough." According to the Firefighters Union, nearly 750 firefighters have taken medical leave since the cleanup began.

The air conditions in the surrounding neighborhood also have raised the community's anxiety. With private studies sometimes contradicting the Government, people don't know what to believe. I know there was a survey in October of local residents and nearly 35 percent said they did not feel that their homes were safe to live in, and about 80 percent wanted more information about their neighborhood's air quality. Parents of school children are understandably the most concerned, with the parents of some children apparently refusing to send their kids to school in the vicinity of Ground Zero.

If this great part of this great city is to begin to get back to normal, this situation has got to be clarified and resolved. That is why Senator Clinton asked me to convene this hearing today and why we are here to hear your testimony. We want to get to the truth as best we can to find out the answers to some of the questions that are on the minds of so many New Yorkers and so many others who have spent time at or around Ground Zero. Questions like what level of what contaminants were detected and where, to what were workers on the pile exposed, to what were people in the streets exposed? Are there still hazards in places of work or places of residence or places of education?

We also want to find out how our Government responded on that fateful day and thereafter. There's no debate that the overall response of Government was and has continued to be excellent. It's certainly not our intent to re-enact or second-guess every decision made in what were some of the most difficult circumstances imaginable.

But as we go forward as a Nation in the struggle against terrorism, it is our obligation to learn as much as we possibly can about the lingering consequences of the attack on New York on September 11th. It is in that spirit that we're here today.

I know there's been confusion in the press and the public about which Agency, which level of government has been responsible for what part of the air quality monitoring. That's a question we're

going to ask, too, because our citizens need to know who's responsible. Accountability starts with cleaner lines of authority, and we need to clarify how our Government has organized its response to this part, this lingering part of the attack.

Representatives of the agencies before us were on the site 5 months ago today, anticipating many of the air quality problems and working to evaluate them. This morning, we're going to assess what has been learned and consider what can be done to address the gaps and overlaps and occasional contradictions in the reporting of that data.

Finally, we've got to ensure that we do everything we can to get the necessary help to those who may have been exposed to hazards in the course of this experience. We've got to locate, register and monitor the people who might have been exposed, especially the heroic first responders, who plunged into the danger onto the pile with no regard for what toxins might lurk in the rubble, not to mention the air. This includes of course all those from New York, but all those from outside who rushed here to be of help.

As we continue to move forward from September 11th as a Nation with remarkable unity and resolve to root out those who did this to us, we cannot let its aftermath damage you or us any more through the air you have inhaled or continue to inhale.

This morning, we've got a very knowledgeable and diverse group of witnesses who can help to educate us and all New Yorkers about these pressing questions. I hope when we leave here today everyone in the room, including the U.S. Senate, as represented by Senator Clinton and me, will have a clearer understanding based on the facts of what is and is not unsafe in the air, and what we together can do to protect the health and safety of the people of New York.

I want to again thank Senator Clinton and say to you, I've known Senator Clinton for more than a few years, from her time at law school in my home city of New Haven. I'm not going to mention the years, she remains remarkably youthful and vital. She has been an extraordinary addition to the U.S. Senate, obviously very bright, extremely able, but has worked tirelessly and very effectively on behalf of the people of New York, really from the beginning of her service in January 2001, but powerfully and passionately since September 11th.

I'm honored to be here at her request and proud to introduce her to you now.

I would be remiss in speaking before the Senate if I didn't mention that the State will soon be before both Houses looking for assistance in solving an issue that we have as a result of the World Trade Center with regard to transportation conformity and the Clean Air Act. We're working to assure the environmental community and the citizens that while we do believe we need some relief in the planning requirements under that, that we by no means intend for it to have any negative environmental or air quality impacts whatsoever. We're working aggressively and frequently with the environmental community to bring forward a proposal that we believe both Houses would be able to support.

I did want to speak just briefly to the issue of the diesel truck emissions that's been raised a couple of times. The State has been using its authority under a State idling regulation to prevent idling. We've been as aggressive as we can be in making the drivers turn off the engines when they're in an idling situation. It's not allowed for more than 3 minutes in the city.

We have also been working in a multi-jurisdictional effort to try to bring relief to the site in the form of both lower sulfur fuel for the site and to try to bring some particulate traps and other control technologies to some of the equipment of the site. We didn't begin this until January or so, we are working very diligently with virtually every city agency that has any responsibility at the site and with the Northeast States for Coordinated Air Use Management and EPA. We're trying to bring a proposal forward. We have found that this is very complex, but we are still moving forward on trying to bring some relief from the ongoing operations at the site.

I just want to thank again the subcommittee. We appreciate being here.

Senator LIEBERMAN. Thank you, Mr. Johnson.

Commissioner Miele, thank you for being here, and I would urge you to respond to the critique from Mr. Goldstein, and to some extent from Congressman Nadler, who said in his statement that EPA had delegated authority to the city for indoor environmental consequences and had not followed up to make sure that the city's response was appropriate.

Dr. MIELE. Senator, if I may, the city has two responses. Dr. Frieden would like to lead off, if that's all right with you.

Senator LIEBERMAN. OK. I'd urge you to try to be as concise as you can, because time is running on and we've got a final panel to go.

**STATEMENT OF THOMAS R. FRIEDEN, M.D., COMMISSIONER,
NEW YORK CITY DEPARTMENT OF HEALTH; ACCOMPANIED
BY: JOEL A. MIELE, SR., COMMISSIONER, NEW YORK CITY
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

Dr. FRIEDEN. Good morning. We do appreciate the opportunity to be here today.

Since being sworn in as health commissioner by the new administration, less than 2 weeks ago, I have reviewed the activities of the New York City Health Department and other agencies since the first day of the disaster. I would second what my State colleague has said. One of the most vivid pictures to emerge is one of unprecedented cooperation between local, State and Federal

health, environmental and occupational agencies. The teamwork is quite extraordinary.

Following the attack, the City Health Department had a multifaceted role. The health department immediately established systems to monitor first, emergency departments in the immediate vicinity to assess acute injuries; second, hospital staffing and equipment needs; third, illness and injuries among rescue workers; and fourth, unusual syndromes that might represent a bioterrorist event.

Other responsibilities included ensuring water and food safety in the immediate area, conducting rodent and vector control, initiating a worker safety program and providing regular advisories to the public and medical community. The Department also facilitated development and coordination of environmental sampling plans.

Many individuals were exposed to large amounts of smoke, dust, and airborne substances. The potential release of contaminants during and after the disaster was a primary public health concern from the beginning. Air monitoring was established immediately, and continues. The Health Department reviews the numerous air quality, debris sample results and personal air monitoring tests being conducted by various agencies. The data from air quality tests thus far have been, in general, reassuring. None of the test results done to date would indicate long-term health impacts.

The numerous substances of potential concern have led to some confusion about health effects over the short and long term. Some substances, such as the particulate matter from the dust or smoke in the air, are irritating but are not expected to have long-term health effects. Other substances, most notably asbestos, are not expected to have short-term effects, but if elevated over long periods of time can cause serious health effects.

Asbestos was a known building component in the World Trade Center. Asbestos levels in the air at and around the site in the first few days were elevated. Fortunately, since that time, except for a few transient spikes found in outdoor air sampling, asbestos levels have been low and within standards.

With funding from FEMA, the Department of Health and the Federal ATSDR conducted a study of both air and dust samples taken in November and December of 2001 at 30 residential buildings in Lower Manhattan. As soon as we received the final results from ATSDR, we released them to building residents and owners and to the public. We will continue to release results as soon as they become available from ATSDR.

This study showed no elevated levels of asbestos in indoor air. Dust sample tests showed low levels of asbestos in some samples and fiberglass in some other dust samples. Asbestos and fiberglass can be a problem if they become airborne. Airborne fiberglass can cause cough and skin, throat and eye irritation. While these findings are not unexpected, they underscore the importance of proper cleaning to minimize exposure, as the DOH has repeatedly emphasized.

I would add that the use of wet wiping is an important and effective means of making our homes safe, and statements to the contrary are unhelpful.

The standards used are conservative. For example, for asbestos in outdoor air, we are using the indoor air quality standard for re-entry into a school after asbestos removal. Stringent standards are also being used for other substances in outdoor air, such as dioxins, identified at the perimeter of the site. Both duration of exposure and concentration of the substance are important to determine health effects.

Many standards which we are applying were based on exposures for prolonged periods of time. The long-term health risks associated with short-term exposures are not well documented, but are generally believed to be quite low.

As fires at the WTC site burned far longer than anticipated, many residents living and working in the community, in particular rescue workers, have reported health effects, such as acute breathing problems, worsening of asthma, eye, nose, and throat irritation, nausea, and headaches. Many residents also continue to experience significant psychological and stress-related illness and anxiety.

Students of Stuyvesant High School, who returned to their school on October 9, 2001, reported similar complaints. A DOH analysis shows that the average daily rate of headaches, respiratory, skin, eye, and throat complaints at Stuyvesant was higher than in the previous year and higher than in four other New York City public high schools. The data also show that complaints decreased from October to November 2001. We will continue to monitor this situation.

The department has been working with the Centers for Disease Control and Prevention to develop a protocol for a WTC Registry. Since September 11th, we have all had to live in a world of greater uncertainty. While we know that the air meets safety standards today, we cannot state unequivocally that there will be no long-term health effects of exposures on or around September 11th. We simply do not know. For that reason, rapid funding and implementation of the registry is particularly important. The registry will enable scientists to evaluate the long-term health effects as objectively and comprehensively as possible.

But with every day that passes, implementation of a registry becomes more difficult. We therefore urge our colleagues to avoid any further delay in this very important project which you have spearheaded.

Finally, the City Health Department recognizes residents' concerns and will continue to work closely with local, State and Federal agencies to monitor air quality and to inform the public of findings as soon as they are available. Together with the City Department of Mental Health, which is also under my jurisdiction, we are addressing residents' mental health concerns by promoting the ongoing Project Liberty program, a statewide disaster-recovery initiative that offers free crisis counseling, education and referral services. DOH will continue its community outreach and education efforts.

Now I would like to turn to Commissioner Miele.

Dr. MIELE. Thank you, Dr. Frieden, Senator Lieberman and Senator Clinton. It's a pleasure to be here. My name is Joel Miele, and I'm the commissioner of the New York City Department of Environmental Protection.

In addition to the DEP's operation of the city's sewer and water systems, which by the way withstood the attack well, our expertise in regulating asbestos in New York City was a significant portion of our responsibilities following September 11th. Since 1985, DEP has been the New York City agency with responsibility for regulating asbestos abatement. Starting September 12, DEP operated a network of outdoor air monitors that have been used for monitoring outdoor asbestos levels. Aside from repairing water and sewer infrastructure, assessing and mitigating risks caused by the presence of asbestos-containing material has dominated DEP's work in responding to the Trade Center attack.

Since September 11th, DEP or its contractors analyzed 3,060 samples from 37 outdoor monitoring sites in Lower Manhattan; 500 samples collected adjacent to the four schools in the vicinity of the Trade Center; and 328 samples taken in the four boroughs of the city outside of Manhattan. The map and all sampling results to date from the sites shown on this map are available to anyone on DEP's website: www.nyc.gov/dep.

Of these samples, only 9 of the total of 3,864, or $\frac{2}{10}$ of 1 percent, exceeded the Federal re-occupancy standard for indoor air. These nine samples were all taken in the vicinity of Ground Zero. As Commissioner Frieden noted, there is no established standard for asbestos in outdoor air. Unlike carbon monoxide, nitrogen oxides and other gases whose presence in outside air is regulated under the Clean Air Act, asbestos is a once-prevalent building material, and previous work at standard-setting has focused on establishing safe levels for asbestos within buildings.

On September 12, when my colleagues and I at all three levels of Government were creating our monitoring networks, we knew that there were no reliable, scientifically based, acceptable standards that would tell us what level of asbestos in outdoor air might be considered "safe" or "unsafe." Therefore, we opted to use EPA's indoor post abatement re-occupancy of schools standard as our threshold level of concern since we felt it was more protective.

Let me briefly explain our sampling methodology. The samples are collected on filters and examined under Phase Contrast Microscopy utilizing a specific method developed by the National Institutes for Occupational Safety and Health. The PCM analysis counts all fibrous particles, including asbestos. PCM sample results are compared to the clearance/re-occupancy standard for indoor air following an asbestos abatement project. This standard is 0.01 fibers per cubic centimeter. Samples found to be above this standard are re-examined using Transmission Electron Microscopy. The TEM analysis identifies the type of particles collected. TEM results are compared to the clearance/re-occupancy standard for indoor air in schools after an asbestos abatement project. This standard is 70 structures of asbestos per square millimeter. The standard was established pursuant to the Federal Asbestos Hazard and Emergency Response Act, also known as AHERA.

Based on all Federal, State and local test results, public health experts have consistently expressed confidence that, based on sampling, airborne asbestos levels do not pose a threat to human health. Health professionals have stated that short-term exposure

to airborne asbestos, at levels equal to or lower than 0.01, carries an extremely low risk of causing asbestos-related illness.

Before allowing occupants in any residential or commercial building near the Trade Center site, the city's various agencies, acting through its Office of Emergency Management, required building owners to take the following steps. Assess the building's structural strength and stability using qualified professionals. Restore gas and electrical service. Restore building water service, including flushing, re-filling and cleaning roof tanks where necessary. Assess the presence of hazardous materials such as asbestos, and remediate as required under applicable city regulations using qualified professionals. Finally, inspect, clean and repair mechanical and HVAC systems.

While property owners were accomplishing these tasks, DEP and its sister agencies, again acting through the Office of Emergency Management, assumed responsibility for cleaning streets, sidewalks and common areas so that there was a safe outdoor environment to reach the buildings for contractors and workers who were retained by owners and managers to effect all necessary exterior and interior cleanup of private buildings. To assist property owners, DEP engaged in the following tasks, among others.

Developed and distributed advisories to building owners and occupants; established HELP lines for concerned owners or tenants to respond to complaints or concerns about proper abatement procedures for contractors; provided telephone consultation to building owners, contractors, consultants and tenants related to asbestos cleanup; performed site inspections and conducted building surveys; reviewed sampling data submitted by building owners, their contractors and consultants; reviewed the scopes of work for cleanup of asbestos-containing material; and developed emergency certification procedures and offered daily certification exams to ensure a properly trained and qualified work force was available.

Although city, State and Federal agencies have provided oversight and guidance on interior cleanup, that task remains the responsibility of building owners and occupants. For example, some building owners identified the presence of asbestos-containing material during their assessment for hazardous materials in areas of the buildings under their control. Once material is identified as ACM, New York City rules require that a licensed contractor with certified asbestos workers perform the cleanup activities.

As noted above, DEP technical staff has been continuously available to assist in the development of plans for handling asbestos cleanup activities. At the completion of the cleanup activities, the city's regulations require clearance air sampling by licensed professionals prior to allowing re-occupancy of areas where asbestos work had been performed.

The city, through the Office of Emergency Management, looks forward to working with Senator Clinton in developing an improved indoor air quality program. With respect to the question that was raised earlier by Congressman Nadler and Mr. Goldstein, the issue of the DEP, the agency's name tends unfortunately to be a little bit of a misnomer. The agency is primarily involved in running and operating the water and sewer systems of the city of New York. The staff available for asbestos and hazmat, while adequate

except in the case of a catastrophic such as occurred here, has always been adequate for the services that we've needed, whether it was for asbestos abatement or the occasional hazardous materials situation that arises.

I appreciate the opportunity.

Senator LIEBERMAN. Thanks, Commissioner. So did EPA federally make a mistake in reaching a judgment that the city environmental protection department was in charge of indoor air quality?

Dr. MIELE. No, I think what they really meant by that was that the outdoor air quality had been checked. It was very clear to us in our daily meetings, and we met, all three levels of government, each day for as much time as it took to understand what was occurring in the past 24 hours and to decide what we were going to do in the next 24 hours.

But essentially what happened, as you've heard here already, the outside air immediately started clearing up dramatically. There was a steep drop in the curve. By the time we permitted people to go back into the interior buildings, we were very comfortable that the level of materials outside were well below the regulatory standards.

Consequently, when the buildings were entered, they were entered not by the occupants, but by qualified experts to determine whether there was an air problem within the buildings or not, and whether cleanup was required. That work was done in each case. What we did after that is, when the public was allowed back in, after we were comfortable with the material that had been done and we knew the buildings had been cleaned, the owners then permitted reoccupancy.

If any tenant had any question, they could call us, did call us on occasion. We would come out, we would question the results, take a look at the results of the cleanup that had been done, and the air testing that had been done, and if we had any questions, we did our own air testing. There were only minimal situations where that occurred, and in each case where it did occur, we were comfortable that the air was acceptable.

Senator LIEBERMAN. So you're testifying that——

[Interruption from audience.]

Hold on, we'll come back to you.

You're saying that every building was tested, every building had its indoor air tested before people were allowed to go back in.

Dr. MIELE. That's the city regulation. That's correct, sir.

[Interruption from audience.]

Senator LIEBERMAN. We're going to come back to you. Hold on a second.

Ms. Kenny, Congressman Nadler made some very direct and serious challenges to the EPA, and I want your response. The first is, that EPA Administrator Whitman misled the public on September 18 last year, when she said she was glad to reassure the people of New York that their air is safe to breathe and their water is safe to drink. She made the statement without the indoor data necessary to make such a pronouncement.

Dr. Thurston seemed at least in part to corroborate Congressman Nadler's statement when he said that EPA gave assurances pre-



NEWS

Health Problems of 9/11 Rescuers in New York Continue Five Years After Terrorist Attack

October 31, 2009 11:03 PM

The fifth anniversary of the September 11th terrorist attacks in New York has focused attention on the plight of emergency personnel who went to the site of the demolished World Trade Center towers. As VOA's Melinda Smith reports, a large health study of the thousands of workers at Ground Zero shows many with chronic respiratory ailments.

"It was like a black cloud over that whole area and you couldn't see ten feet [three meters] in front of you," remembers John Walcott.

"I collapsed," says Robert Ryan of his experience. "I couldn't get any air into my lungs and I was...I went...I went into a panic."

John Walcott and Robert Ryan are among the thousands of first responders who carry the burden of that tragedy, five years later. Both men plunged into the heavy gray smoke to rescue others. Robert Ryan says he was later forced to leave the fire department because of his illness. His lungs are now so damaged he says he can barely play sports with his son:

"After about ten minutes, I always have to stop, catch my breath, and it's at the point now," Ryan tells us, "and he'll stop and say, 'Are you okay, Daddy? Do you need to stop?'"

The toxic dust from the World Trade Center has affected almost 70 percent of the 10,000 rescuers at the site, as well as workers who hauled the debris away to a landfill. A recent study found many inhaled heavy metals such as nickel, titanium and cadmium into their lungs. Sixty percent of those with respiratory illness had not shown symptoms of the disease before 9/11.

Pneumonia was a common diagnosis in the first six months after the tragedy. Dr. Robin Herbert directs the World Trade Center medical monitoring program.

"Somebody has to take responsibility and make sure these folks get the care they need."

Officials from the state of New York and the U.S. government have pledged \$52 million to pay for treatment of these workers. Dr. Herbert says that's not enough:

"My worry is that money will be gone in a year, and what happens then?" she asks.

Many of the victims are skeptical about how much help they will eventually receive. They point to assurances by former Mayor Rudolph Giuliani, who led New York City's rescue effort:

"The air quality is safe and acceptable," said the mayor at the time.

Dr. Robin Herbert disagrees. "What we saw, in those first two months, was really very startling and very, very disturbing. You could see that there were these chemical burns."

A month after the terrorist attacks, a health department memo showed internal disagreement about the quality of air at the site. There was reportedly pressure to reopen streets from merchants and business owners in the neighborhood. At the same time, environmental officials expressed concern about the toxic air.

Thousands of sick workers are now questioning who will pay for their continuing medical care and have filed a lawsuit against the city government and contractors who hired them. The current mayor of New York City, Michael Bloomberg says the health study does not prove a direct link to conditions at the site:

"There is no way to tell for sure...and you have to be very careful. If I say I've got something because of this, it's just not the way science works."

Former firefighter Robert Ryan disagrees. "Every fireman, cop that went down there...nobody thought about your own safety. That's not what we do. I'm just asking for a little help. A little help getting by every day."

Other health problems include depression, and post-traumatic stress. Medical experts plan to release another study of Ground Zero's effect on rescuers' mental health in the near future.