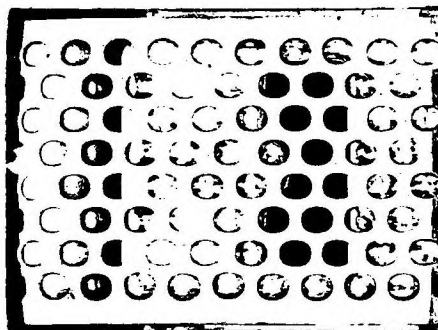


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ROBERT C. AVALTRONI, DEPUTY COMMISSIONER
BUREAU OF ENVIRONMENTAL COMPLIANCE

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Date: 10/15/01

Log: 2001/3058

To: Comm. Miele, FDC Chapin, C. Sturcken

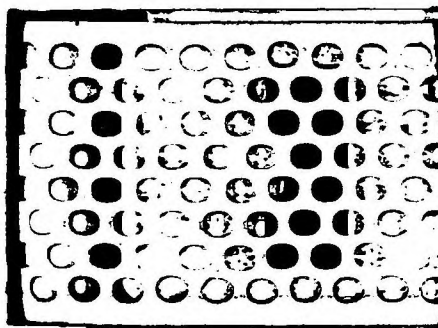
Re: Draft letters

- | | |
|---|--|
| ☐ Urgent | ☐ Per our conversation |
| ☐ For your information | ☐ Draft response for my signature |
| ☐ For appropriate action | ☐ Draft response for the Commissioner's signature |
| ☐ For comment | ☐ Respond/copy me |

Comments: As per our conversation,
attached please find our re-draft of the
Real Estate Board's letter and our
draft response to Richard Sheirer's
memo to Joel.

*open
working on
up 5/1/02*

done



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**Department of
Environmental
Protection**

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

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

DRAFT

To: Residents/ Occupants of Buildings in the Vicinity of Ground Zero

From: Joel A. Miele Sr., P.E.

Date: October 15, 2001

Subject: Environmental Sampling

Various Federal, State and City agencies have been monitoring the environmental impact of the September 11, 2001 tragedy at the World Trade Center. These agencies include the US Environmental Protection Agency (USEPA), the US DOL Occupational Health and Safety Administration (OSHA), the US DHHS Centers for Disease Control (CDC), the New York State Department of Environmental Conservation (NYS DEC), the New York State Department of Health (NYS DOH), the New York City Departments of Health (NYC DOH) and Environmental Protection (NYC DEP) among others. Samples of the air, water, and debris have been and continue to be collected. The samples are collected and analyzed for various pollutants and evaluated according to the existing environmental and occupational standards and guidelines. The pollutants have included the USEPA criteria pollutants, asbestos, and other potential substances expected from an incident of this type.

The City of New York has issued specific guidelines for the re-occupancy of buildings in the vicinity of Ground Zero. These guidelines include the performance of an environmental assessment by qualified individuals and firms. Qualified individuals must perform the environmental assessment that includes the testing of debris and the air for asbestos fibers. For specific information and the results of the environmental assessments, residents should contact their building owner or managing agent. Any resident who is unable to obtain the information directly or has unresolved issues may contact the DEP Help Center at (718) DEP - HELP. Consistent with the Department's implemented policy after the September 11, 2001 tragedy, the Help Center will refer the call to Asbestos Control Program staff who will provide assistance and guidance.

In order to assist residents in the interpretation of results, the following is a description of the testing and standards used to evaluate asbestos levels:

Asbestos-containing Material

The bulk sampling of the debris from the collapse is performed to determine whether the debris is asbestos-containing material (ACM). ACM is any material that contains greater than one-percent asbestos. Any material found to be ACM must be handled by trained and certified individuals with proper equipment and engineering controls to limit the generation of increased airborne levels. However, all clean up of debris should be performed by wet-methods and the use of vacuums equipped with HEPA filters. The NYCDOH has issued several advisories with step-by-step instructions for the clean up of debris intended to minimize exposure to dust and other particulates.



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Air Sampling

Qualified individuals who possess valid certification must perform the air sampling for asbestos. The air samples can be collected for analysis by phase contrast microscopy (PCM) and/or transmission electron microscopy (TEM). Both types of samples are collected by drawing air through a filter at a set flow rate for a specific period of time. The filters are then sent to a laboratory for analysis.

PCM analysis measures all fibers trapped on the filter that meet the National Institute of Occupational Safety and Health definition for a fiber. The results can therefore include asbestos and non-asbestos fibers (such as carpet and fabric fibers). The PCM samples are easier to prepare and take less time to analyze. The results are reported in fibers per cubic centimeter (f/cc) and are compared to the strictest USEPA, NYS DOL, and NYC DEP clearance or re-occupancy standard of 0.01 f/cc. The worker exposure standard set by OSHA is 0.1 f/cc for an 8-hour time weighted average.

TEM analysis is available from fewer laboratories and takes longer to prepare, but provides specific information as to the amount and type of asbestos present on the filter. The results are reported in structures per square millimeter and are compared to the strictest USEPA AHERA standard of 70 s/mm². This standard is the USEPA re-occupancy criteria for children to reenter a school after asbestos abatement.

Water Sampling

The NYCDEP increased water sampling in lower Manhattan after September 11, 2001. The water samples have not indicated pollutant levels above the clean water standards set by the USEPA.

The NYCDEP daily monitoring for asbestos in the outdoor air has disclosed a few sites in the immediate vicinity of the World Trade Center with levels above the clearance levels. These results have been followed up with additional continuous sampling and follow-up with TEM analysis. Results obtained within the past few days indicate that levels are below the clearance levels. The USEPA based the level of concern on continuous exposure for an extended period of time and expects that clean up efforts will continue to reduce asbestos levels dramatically over the next several weeks.

According to NYC DOH statements, the ongoing monitoring of airborne contaminants indicate that the levels continue to be below the levels of concern to public health and do not pose long-term health risks to the general public. Significant quantities of smoke and dust were released following the collapse of the WTC Towers. In the days following, smoke varied depending on the weather conditions. The smoke can cause throat and eye irritation. The symptoms should diminish as exposure decreases. Air particulate monitors have been collecting continuous samples at eleven sites in New York City. The samples have not exceeded the USEPA standards. Further, as expected, asbestos is present in some of the debris at the site and in the areas very close to the site. However, most air sampling results were below the standards.

In addition to the daily air monitoring activities, a dust protection and suppression plan has been developed for the search/rescue, demolition, and clean up of the World Trade Center site. The USEPA posts daily results on their web page at epa.gov. The NYCDEP posts daily results at nyc.gov. This site also contains various fact sheets.

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B. Avalltroni
pls. review
READ

DRAFT

Date: October 8, 2001

To: Residents of Battery Park City:

From: Mr. Joel A. Miele, Sr.
New York City Department of Environmental Protection
56-17 Junction Boulevard
Corona, New York 11368

Since September 11, the U.S. Environmental Protection Agency (EPA), the Department of Health (DOH), and the Occupational Safety and Health Administration (OSHA) have been taking samples of the air, dust, water, river sediments and drinking water and analyzing them for the presence of pollutants that might pose a health risk to residents of Battery Park City and the public. The samples are evaluated against a variety of benchmarks, standards and guidelines established to protect public health under various conditions. These agencies consider the amount of time a person is exposed to a particular pollutant and where – a school, workplace or home – in creating these criteria.

The following is a description of some of the benchmarks, standards and guidelines these agencies are using to evaluate environmental conditions in the aftermath of the World Trade Center disaster.

Asbestos in the Air

EPA is using the strictest protective standard under AHERA, the Asbestos Hazard Emergency Response Act, to evaluate the risk from asbestos in the outdoor and indoor air. This standard is used to determine whether children may re-enter a school building after asbestos has been removed or abated. To determine asbestos levels, air filters are collected from monitoring equipment through which air in the school building has passed and then been viewed through a microscope. The number of structures – material that has asbestos fibers on or in it – is then counted. The measurements must be 70 or fewer structures per square millimeter before children are allowed to re-enter a school. To be as protective as possible, EPA is using the school re-entry standard in tests around the World Trade Center site. **All areas of Battery Park City have passed this strict protective standard before being open again to the public.**

There is also a federal standard for asbestos exposure under OSHA, the Occupational Safety and Health Act, which is used to protect workers on-the-job. The standard is 1 fiber per cubic centimeter. **Again, all open areas of Battery Park City have been tested and have received acceptable test results utilizing this OSHA standard.**

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Asbestos In Dust

If a substance contains 1% or more asbestos, it is considered to be an "asbestos-containing material." There are federal regulations in place to ensure the proper handling and disposal of asbestos-containing material. If a substance contains less than 1% asbestos, these regulations do not apply.

EPA is using the 1% definition in evaluating dust samples from in and around Battery Park City. All Battery Park City landlords have been instructed to test dust samples within their buildings utilizing this standard. The vast majority of samples taken to date have levels of asbestos below 1%. In fact, in an urban environment like New York City, ~~we can expect the presence of a low level of asbestos under normal circumstances (these~~ low everyday levels are called "background levels"). **No Battery Park City building has been allowed to reopen to the public unless it has been tested and, if found to have levels of asbestos-containing materials above 1%, cleaned.**

Asbestos In Drinking Water

EPA's standard for asbestos in drinking water is 7 million fibers per liter of water. This standard, which was adopted to protect people from health risks due to asbestos exposure, is the standard EPA is using when it analyzes drinking water samples taken from underground water mains and water tanks at the top of buildings in lower Manhattan. **All water in and around Battery Park City has been deemed safe for ordinary use and consumption.**

NYC Department of Health

The New York City Health Commissioner Neal L. Cohen, M.D. has reviewed the findings of the various testing agencies and on Friday issued the following statements to residents. He said "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.**

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

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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** or the New York City Department of Environmental Protection at _____

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