

US EPA ARCHIVE DOCUMENT



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

September 8, 2005

Anne Papageorge
Vice President for Memorial and Cultural Development
Lower Manhattan Development Corporation
One Liberty Plaza
New York, New York 10006

Dear Ms. Papageorge:

I am writing to confirm that the September 7, 2005 revised plans and specifications for the deconstruction of 130 Liberty Street (the "Deconstruction Plan") prepared by and on behalf of the Lower Manhattan Development Corporation ("LMDC") are acceptable to the United States Environmental Protection Agency ("EPA"), and that work pertaining to the abatement and deconstruction activities may proceed as set forth below. It is our understanding that these plans and specifications are also acceptable to the other concerned regulatory agencies, including the New York State Departments of Labor ("NYSDOL") and Environmental Conservation, and the New York City Department of Environmental Protection. NYSDOL's letter of acceptance, enclosed herein, addresses asbestos material removal and cleanup of World Trade Center dust/residue.

Containing more than 1,400,000 square feet, the 130 Liberty Street office building was the most heavily damaged structure remaining after the September 11, 2001 terrorist attack. The building was severely contaminated both inside and outside with dust and debris containing asbestos, lead and other hazardous substances and contaminants. The highest priority of the regulatory agencies and LMDC in preparing the Deconstruction Plan has been the prevention of releases into the environment during abatement and deconstruction with potential impact on neighboring residents and workers. Abatement and deconstruction of 130 Liberty Street in a safe and effective manner is a unique project, which requires the best efforts of all concerned to ensure that it is completed properly and safely.

The Deconstruction Plan is intended to implement best management practices for all phases of the deconstruction, to incorporate containment measures to control potential releases of contaminants, and to provide comprehensive air monitoring coupled with appropriate mechanisms which may trigger work stoppage to address any releases that may occur. Adherence to the safeguards contained in the Deconstruction Plan, and careful monitoring of abatement and deconstruction activities throughout the project will help prevent the occurrence of situations that may present an imminent and substantial endangerment to public health and the environment.

Specifically, the September 7, 2005 Deconstruction Plan includes the following:

Section 1 - Waste Sampling and Management Plan for the 130 Liberty Street Deconstruction Project;

- Section 2 - Ambient Air Monitoring Program for the 130 Liberty Street Deconstruction Project;

Section 3 - Emergency Action Plan for the 130 Liberty Street Deconstruction Project;

Section 4 - Asbestos and Contaminants of Potential Concern Abatement and Removal Plan for the 130 Liberty Street Deconstruction Project;

Section 5 - Health and Safety Plan for the 130 Liberty Street Building Deconstruction Project;

Quality Assurance Project Plan for the Ambient Air Monitoring Program 130 Liberty Street Deconstruction Project New York, New York;

- NYSDOL Project Variance File No. 04-1432, dated September 27, 2004 and Amendment dated October 6, 2004;

NYSDOL Phase - Variance Decision File No. 05-0427, dated May 1 2005;

- NYSDOL Phase I - Variance Decision Amendment, dated June 10, 2005, for File No. 05-0427;

NYSDOL Phase I - Variance Decision Amendment #1 Clarification, dated June 28, 2005, for File No. 05-0427;

NYSDOL Phase I - Variance Decision Amendment #2, dated July 22, 2005, for File No. 05-0427;

NYSDOL Phase II - Variance Decision File No. 05-0813, dated June 23, 2005.

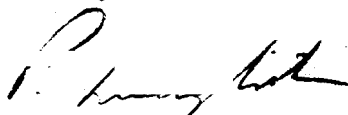
LMDC has completed its background ambient air sampling that was conducted over a two week period. Two of the analytes sampled and analyzed during the background ambient air sampling were PM₁₀ and PM_{2.5} using both real-time monitors and reference method samplers. EPA will work with LMDC immediately to ensure that an appropriate correction factor is applied, if necessary, to the real-time Met One E-BAM monitors to simulate the reference

method PM₁₀ sampler and the reference method PM_{2.5} sampler based on the analytical results of the background sampling.

LMDC states in Section 2 of the September 7, 2005 Deconstruction Plan that it is committed to working with the EPA to site the actual locations of the air monitoring stations in the field. Accordingly, EPA would like to work with LMDC to relocate some of the street level air monitoring stations during the Preparation Phase of the Deconstruction Project. During the Phase I - Preparation Phase of the Deconstruction Project, LMDC will be staging waste transport containers within the existing interior ground level loading dock, along Washington Street, on the west side of 130 Liberty Street. Consequently, EPA would like to relocate at least one of the street level air monitoring stations in close proximity to the loading dock on Washington Street prior to the initiation of work activities in the loading dock area during the Phase I - Preparation Phase. In addition, as soon as the hoists and new loading platforms are in place and ready for use during the Phase I - Asbestos and Contaminants of Potential Concern Abatement, EPA would like to relocate at least one of the street level air monitoring stations in close proximity to the loading platforms. EPA believes it would be beneficial for LMDC to relocate the street level air monitoring stations and the four "floating" monitoring stations which will be relocated from the roof and in increments on the scaffolding during the Deconstruction Project, during appropriate times when no work is being performed at the 130 Liberty Street building.

We encourage you to continue to keep the public informed throughout the deconstruction project, using your Web site and regular interactions with local elected officials and community members to convey monitoring data, overall progress on the project, and day-to-day developments that might have immediate local impacts. EPA and the other regulatory agencies will monitor the deconstruction work as it progresses, and will be available for consultation with LMDC and its consultants and contractors throughout the execution of the project.

Sincerely



Pat Evangelista
WTC Coordinator

New York City Response and Recovery Operations

Enclosure

cc Chris Alonge, NYSDOL
Krish Radhakrishnan, NYCDEP
Richard Mendelson, OSHA
Robert Iulo, NYCDOB
Sal Carlomagno, NYSDEC