



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2

290 BROADWAY

NEW YORK, NEW YORK 10007-1866

March 7, 2008

BY ELECTRONIC MAIL AND REGULAR MAIL

Mr. Richard Dalessio
Project Manager
Dormitory Authority of the State of New York
Borough of Manhattan Community College
DASNY Fiterman Hall Field Office
70 Murray St, Room M202
New York, N.Y. 10007

Re: Final Remediation Phase Documents
Fiterman Hall
30 West Broadway, New York, N.Y.

Dear Mr. Dalessio:

I am writing to inform you that the United States Environmental Protection Agency ("EPA") has completed its review of the procedures pertaining to the "Remediation Phase" at Fiterman Hall at 30 West Broadway, New York, N.Y. Based on our review, and in consultation with the New York State Department of Labor ("NYSDOL") and the New York City Department of Environmental Protection ("NYCDEP"), the March 7, 2008 documents pertaining to the "Remediation Phase" are acceptable to EPA. The letter of acceptance from NYSDOL is enclosed herein.

EPA's review of the draft and final "Remediation Phase" documents focused on containment measures to control potential releases of contaminants, proper procedures for monitoring the work, and waste disposal.

EPA's acceptance of the March 7, 2008 "Remediation Phase" documents is not intended as a review and/or acceptance of any structural engineering and safety matters or requirements for the protection of worker safety and health or for fire protection and safety at Fiterman Hall. EPA is relying on the New York City Department of Building's, the U.S. Department of Labor Occupational Safety and Health Administration's, and the New York City Fire Department's expertise in these areas, respectively.

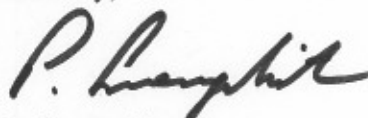
The "Remediation Phase" documents are intended to implement best management practices, to incorporate containment measures to control potential releases of contaminants, and to provide comprehensive air monitoring coupled with appropriate mechanisms which may trigger work stoppage to address any release that may occur. Adherence to the safeguards contained in these documents, and careful monitoring of "Remediation Phase" activities throughout the project will help prevent the occurrence of a situation that may present an imminent and substantial endangerment to public health and the environment.

Specifically, the following documents were reviewed by EPA in order to understand and evaluate the procedures pertaining to the "Remediation Phase":

- Regulatory Submittal Part I(R) – Remediation Work Plan, dated March 7, 2008
- Regulatory Submittal Part IV(R) – Remediation Phase Waste Sampling and Management Plan, dated March 7, 2008
- Regulatory Submittal Part III(R) – Remediation Health and Safety Plan (HASP), dated March 7, 2008, and
- Response to the Regulators' Comments, submitted with the March 7, 2008 cover letter with the final "Remediation Phase" documents.

EPA will monitor the work as it progresses and looks forward to our ongoing consultation with you throughout the execution of the project.

Sincerely,



Pat Evangelista
WTC Coordinator
New York City Response and Recovery Operations

Enclosure

cc: Richard Mendelson, OSHA w/encl.
Suzanne Mattei, NYSDEC w/encl.
Chris Alonge, NYSDOL w/encl.
Krish Radhakrishnan, NYCDEP w/encl.
Robert Iulo, NYCDOB w/encl.
Mike Weinlein, FDNY, w/encl.
Richard Dalessio, DASNY w/encl.
Max Pizer, CUNY w/encl.



New York State Department of Labor

Eliot Spitzer, Governor

M. Patricia Smith, Commissioner

March 7, 2008

Pat Evangelista
WTC Coordinator
New York City Response and Recovery Operations
US EPA – Region II
290 Broadway
New York, NY 10007-1866

**Re: Acceptance of Revised PAL Environmental Safety Corporation
Regulatory Submittal Part I(R) Remediation Work Plan, Part III(R) Remediation HASP,
& Part IV(R) Remediation Waste Sampling & Management Plan, dated March 7, 2008
Fiterman Hall Building
30 West Broadway
New York, NY**

Dear Pat,

The Department has received the revised March 7, 2008 PAL Regulatory Submittal Part I(R) Remediation Work Plan, Part III(R) Remediation HASP and Part IV(R) Remediation Waste Sampling and Management Plan as provided by Airtek via e-mail. The submitted documents have been reviewed by the Department, as they relate to asbestos material (ACM) and WTC dust/residue asbestos project removal/cleanup activities under the jurisdiction of 12 NYCRR 56, during the remediation portion of the overall project.

The submitted documents are acceptable to the Department. The site-specific variance decision issued today by the Department must be included within the Attachments to the Work Plan Document. The Department has discussed aspects of the documents with the New York City Department of Environmental Protection (DEP), and DEP concurs with the Department's acceptance of the submitted documents.

If an unanticipated situation is encountered during the ACM removal and WTC dust/residue cleanup portion of the overall project, which requires additional relief from 12 NYCRR 56, the owner's asbestos project designer firm must submit a reopening request to the site-specific variance decision as necessary, or submit an additional site-specific variance petition to address the situation. If you have any questions please contact our office at (518) 457-1536.

Sincerely,

Christopher G. Alonge, P.E.
Senior Safety and Health Engineer

ec Krish Radhakrishnan, P.E. - NYC DEP
Chief Weinlein – NYC FDNY
Richard Mendelson – USDOL/OSHA
Robert Iulo – NYC DOB
Richard Fram – NYS DEC
Norma Aird – NYS DOL
Benn Lewis – Airtek
07-1004