Section 4 – Asbestos and COPC Abatement and Removal Plan Amendment Form DATE FORM EFFECTIVE: 6/29/06

Title Section 4 – Asbestos and COPC Abatement and Removal Plan

130 Liberty Street Abatement & Deconstruction Project

September 7, 2005

AMENDMENT #1

Provide clarity on activities that will not be stopped due to an exceedance of an USEPA Site Specific Trigger Level.

Reason for Amendment:

Some activities such as the maintenance of engineering controls are essential during a work stoppage to prevent the occurrence of a situation that may present an imminent and substantial endangerment to public and worker health and the environment.

Section of Asbestos and COPC Abatement and Removal Plan Affected:

<u>Section 1.04</u>, <u>Authority to Stop Work:</u> The following language will be added as the last paragraph of this section: "When work stoppage is required, the following essential and ancillary activities would not be subject to work stoppage: air monitoring, hoist operation, negative air unit operation and maintenance, maintenance of critical barriers, deliveries from offsite, and security."

Date Implemented:

June 29, 2006



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2 290 BROADWAY NEW YORK, NEW YORK 10007-1866

June 29, 2006

Victor J. Gallo Senior Advisor & Counsel, Environmental & Regulatory Affairs Lower Manhattan Development Corporation One Liberty Plaza, 20th Floor New York, New York 10006

Re: Proposed Protocol for Exceedance Reporting and Corrective Actions

Dear Mr. Gallo:

This is to inform you that the U.S. Environmental Protection Agency (EPA) has completed its review of the April 25, 2006 submission from LMDC titled, *Proposed Protocol for Exceedance Reporting and Corrective Actions* (Proposed Protocol).

Based on our review of the Proposed Protocol, only the following conditions shall be amended in the September 7, 2005 plans for the abatement and deconstruction of the 130 Liberty Street building:

- (1) Conform work stoppage requirements for silica to those now in place for PM2.5 for the four off-site roof-top air monitoring stations; and
- (2) When work stoppage is required, the following essential and ancillary activities would not be subject to work stoppage: air monitoring, hoist operation, negative air unit operation and maintenance, maintenance of critical barriers, deliveries from off-site except for loose bulk material that may potentially generate dust and cause an exceedance, and security.

EPA has enclosed amendment forms to designate the portions of the September 7, 2005 plans for the abatement and deconstruction of the 130 Liberty Street building that shall be amended to include the specific language provided.

LMDC's attempt to develop "Emission Incident Reports" and "Exceedance Assessment Checklists" would be beneficial information to assist in understanding a potential emission source that may exceed a Target Air Quality Level or USEPA Site Specific Trigger Level and would assist LMDC to develop an exceedance summary report in cases where a USEPA Site Specific Trigger Level is exceeded. While submission of these "Emission Incident Reports" and "Exceedance Assessment Checklists" would not avoid work stoppage, EPA is receptive to receiving such information in the event LMDC anticipates a potential exceedance.

Sincerely,

Pat Evangelista

WTC Coordinator

New York City Response and Recovery Operations

USEPA-Region 2

Enclosures

cc:

Sal Carlomagno, NYSDEC w/encls.

Chris Alonge, NYSDOL w/encls.

Krish Radhakrishnan, NYCDEP w/encls.

Richard Mendelson, OSHA w/encls.

Robert Iulo, NYCDOB w/encls.