

I am Jan Fried. I own Steamers Landing with my partner John Calder. Steamers is a small restaurant on the Hudson River behind Gateway Plaza less than 2 blocks from the World Trade Center Site.

On September 11th, in the first hour of the attack, firefighters had to break through our windows to get into our place, where they set up a staging area to help people onto boats that could take them to safety. When we finally were allowed to return on September 20th, we found we had no windows left on the north side. The restaurant was covered in dust and debris. The horrific smell of rotting food and raw sewage was everywhere, since our sewage tank (in the basement) had split in half.

Over the weeks, every time we worked at our site, we both developed severe headaches. We heard not one word from any government agency about the possible short or long-term impact from being exposed to the dust and debris.

In November of 2001, we attended a packed meeting of 150 small business owners with officials from city, state and federal agencies. Though small businesses like ours were facing monumental problems, the major concern owners voiced that night was cleanup: How were you going to get your place cleaned, so that you could re-open? And then how would you get the money to pay for it? How dangerous was the dust? No one from the government seemed to know anything that night. All these agencies and officials heard our concerns, but not one did anything to help. All the elected officials there from the City thought FEMA was taking care of everything, from rebuilding expenses to cleanup, but FEMA had nothing to offer. To the best of my knowledge the EPA and DEP were not even present.

Because we continued to experience headaches and because word was circulating in the press that asbestos and other dangerous substances were present, we arranged for a cleaning by a certified contractor to fully decontaminate our restaurant. The cleaning cost nearly \$18,000. Our insurance paid only \$10,000 because they feel my landlord, Lefrak Organization, is responsible for the rest. Lefrak refuses to pay, saying it is the responsibility of the insurance company. In addition, our contractor advised us that we had to replace all our contaminated equipment, our light fixtures, ceiling panels, fabrics, refrigeration system, and our entire ventilation system. This cost us an additional \$90,000. The insurance company refused to pay anything but a tiny fraction of the bill.

I would like to know if the EPA officials would have wanted to dine in my restaurant after 9/11 if we had not taken the initiative of cleaning and replacing all our equipment. Knowing that my business was full of contaminants, I wouldn't eat there myself, nor would I subject my staff or clientele to this risk either. It makes no sense that the health department impounded and destroyed all cars parked in the area that day, but had nothing to say about a contaminated kitchen.

When my partner consulted Gregory Serio, Superintendent of Insurance for New York State, whose office had seen a large number of claims related to contaminated refrigeration and HVAC systems, he was told that if the appropriate agency would have made an official recommendation for replacement of contaminated equipment, getting paid for our loss would have been much easier.

Because government agencies did nothing, they have let insurance companies walk all over small businesses.

It's frightening to think that so many businesses could not afford to clean properly and were forced to operate with pockets of contaminants everywhere. Our place is safe only because we took on the burden of trying to understand the risk, hiring a contractor with the expertise to do the job right, and shouldering the bulk of the cost ourselves.

