

Kelly E. Colangelo
Resident, Battery Park City

My name is Kelly Colangelo and I am a resident of Battery Park City (BPC). Before I start my comments, I'd like to thank you for your presentation to the interested community members.

Accountability

Accountability is an obligation or willingness to accept responsibility. There are multiple agencies, contractors, and sub-contractors involved with the deconstruction and environmental monitoring of 130 Liberty Street. While the December 10 Emergency Action Plan names at least 10 federal, state, city, and private groups involved with this project, the most critical piece of information is missing in the document – it is not clear who is accepting responsibility for the activities at 130 Liberty Street. There is much written about coordination, but nothing about ultimate accountability.

In the event of a release of COPC's, a further collapse of the structure, or an explosion at 130 Liberty Street, the community surrounding 130 Liberty Street needs to know who will be responsible for notifying us about the situation and possible danger, who will be responsible for determining how to handle the situation, and who will be responsible for ensuring a proper cleanup is conducted? When I use the word community, I am including every person in any public or private building North from the Battery up as far as necessary, West from the Hudson and East from the East River.

A vague sentence in the EAP reads, "In the event of an emergency requiring implementation of this EAP, the Gilbane Emergency Coordinator shall immediately notify LMDC. LMDC, at its discretion, will be responsible for any community notification." While this statement IMPLIES that the LMDC is accountable to the community, the phrase, "at its discretion" is unacceptable. In an emergency, the LMDC should not have the freedom to choose if and when they want to notify the community – they MUST notify the community.

Unfortunately, this community has been through an environmental emergency once before. Numerous state, local, and federal agencies were present in lower Manhattan on and after September 11, and we willingly put our health and safety in their hands. As we all know now, we were given inadequate cleanup instructions, forced to return to offices and apartments prematurely, and worst of all, we were lied to – callously. We

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have been through enough. Many of us know that levels exceeding the health-based benchmarks for Asbestos, Cadmium, Dioxins, PCB's, Lead, Mercury, Manganese, Chromium, Copper, Barium, Mold, Zinc, and Nickel have been measured inside 130 Liberty Street. To a human being, exposure to these Contaminants Of Potential Concern can translate into Cancer, Birth Defects, Brain & Nerve Disease, Liver Disease, Kidney Disease, Lung & Respiratory Disease, Blood & Bone Disorders, Heart Disease, and Immune System Disease.

These COPC's put us at risk for exposure and we want to minimize our risk to exposure, so should all of the parties involved in this project. It is apparent from this EAP that the LMDC has not performed a thorough risk analysis in regards to community response. It is clear from the EAP that a risk planning exercise was conducted for a response to on site emergencies.

Risk Management

To properly respond to an emergency, the LMDC must perform a risk analysis. Risk planning is standard project management protocol. And, a thorough risk management plan will demonstrate to the community that the LMDC is being proactive in protecting us, and not planning to be reactive, should something happen. The agency must identify all possible risks to the community, regardless of the probability of occurrence, and then they must analyze each risk for the severity of impact on the community, and then identify and document the planned response for each risk, should it occur.

On page 7 of the EAP, in the section labeled, "Surrounding Community Notification," a statement reads, "Unless exigent circumstances dictate otherwise and appropriate First Responders have already assumed control of the emergency and evacuation of the surrounding community, LMDC will determine and implement appropriate notification to the community." This again is vague in terms of who is responsible to the community. Is it the First Responders or is it the LMDC? Will there be clear coordination between the two groups, as well as procedures in place to define the coordination? Who is in charge?

Because I am a member of the Battery Park City Community Emergency Response Team (CERT), I know that the LMDC is already in discussion with the our team chiefs to

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involve its members and assist with community outreach, safety and stand-by emergency operations in support of the FDNY and NYPD. I think involving the BPC CERT team is an excellent idea since the job of First Responders is to go to the site of the emergency, not immediately to the surrounding community. But, if the CERT team will be assisting the community, we need to know that. We need a clear understanding of who will respond to help us during an emergency, who will direct us in case of an emergency, and what the short term and long term impact of the emergency has on the community (if any).

In closing, I have a few suggestions for enhancing the existing EAP:

1. Make a clear statement to identify the agency accountable to the community.
2. Add a new Section to the EAP titled, "Community Emergency Response." This section should contain a detailed risk management plan for community emergency response – determining risk responses in terms of proximity to 130 Liberty Street; a decision tree showing a clear chain of command that includes all relevant agencies, contractors, and community representatives – employee and residential-based; detailed community emergency response procedures, including the tactics to be used to alert anyone who may be in danger; an Emergency Response Communications Chart to outline the phone and e-mail chain for community notification and follow-up communications; and a neighborhood evacuation plan, including plans for evacuation should the Gilbane Emergency Coordinator warrant local street closures around the site.
3. The new Section should be available as a stand alone document, as well as part of the EAP, for download from the LMDC website.
4. The existence of the "Community Emergency Response" documentation must be publicized in local downtown papers to inform people where they can get a copy of the document.

Please do not put our health at risk any more than it already has been. Help us help you. Involve more members of the community in emergency response planning before the deconstruction activities begin.