

Statement on Draft Generic Environmental Impact Statement

This is a rush job. Although the rebuilding of Ground Zero will be one of the largest construction projects in the world, the usual three year EIS process has been condensed to one for reasons that have nothing to do with the environment or public health. Once again, the reasons have to do with image and politics. In this respect as in others, the rebuilding process shows signs of repeating the reckless behavior of the cleanup operation.

The Draft Generic EIS is flawed in that it does not discuss how all the 9/11 Community Development Block Grant money which was or will be approved by Housing and Urban Development will be disbursed. This omission is in violation of the National Environmental Policy Act and the State Environmental Quality Review Act. For instance the DGEIS does not discuss the seventy million dollars allocated to the inaccurately named Hudson River Park which both Friends of the Earth and Sierra Club have said will be damaging to fisheries as well as to other aspects of the environment. This money would be better spent on cleanup of the contaminants which remain from the environmental disaster of 9/11 in people's homes, offices and public buildings; healthcare for those affected; and affordable housing.

The DGEIS consists in large part of sanguine projections into the future and assurances that where there are problems they'll be handled appropriately "when practical."

Who determines what's practical? Who defines it and according to what criteria? During the cleanup it was often found to be impractical to wet down dust during the winter for fear the water would freeze. Is that going to happen again? Will other actions protective of human health be considered impractical because they require too much time or money? (On the subject of dust suppression: If chemical foams are used to tamp down dust, Material Safety Data sheets for each foam should be made available to the public and press no later than six weeks before application begins. All instructions on the label should be followed.)

Will it be considered impractical to enforce the rules against truck and bus idling? And how will those rules be enforced? Simply through fines? Bus and truck companies are known to consider fines a necessary part of doing business and to write the expense into their contracts. The fines, therefore, don't deter anybody.

If LMDC's predictions about the future are anything like their comments about the past, we're in trouble. About the cleanup after 9/11 they rely on EPA data although EPA was found by its own Inspector General to have misled the public about the air following 9/11. This doesn't stop the DGEIS from asserting that the dioxin levels until January 2002, some of which were the highest ever recorded, attaining to 170 times the previous record, are "not expected to cause serious longterm health problems."

Not expected by whom? There are many venerable scientists who do expect serious longterm health consequences. In this assertion the DGEIS is engaging in 'averaging:' When levels are uncomfortably high, dilute them over a larger time or space and they'll go away.

The human body, however, doesn't play that game. When a child ingests E Coli, the body doesn't average. The child gets sick or dies. Similarly, when people's immune systems were assaulted in the months following 9/11 by dioxin and other toxics, those immune systems didn't say, "I'll just average this out over a lifetime and he or she'll be fine."

The DGEIS also asserts that P.M. 2.5 was not much of a problem outside Ground Zero. This, too, is false. For half the days until February P.M. 2.5 was higher at Stuyvesant High School than at Ground Zero.

Finally, the DGEIS refers to EPA's cleanup of Lower Manhattan apartments. It neglects to say that because of the agency's lackadaisical outreach and its distribution of fliers that said EPA did not expect serious long term health consequences from the contaminants that remained in people's homes, fewer than 20% of eligible residences received this cleanup. For the record, the cleanup was woefully inadequate anyway in ways which are not relevant here.

These are a few of the reservations which 9/11 Environmental Action and Concerned Stuyvesant Community have about this document and the building scheduled to take place pursuant to it. In addition we endorse the recommendations of Skyscraper Safety Campaign regarding safety and the responsibility of the Port Authority to adhere to all relevant local, state and federal regulations.

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