

# **World Trade Center Community-Labor Coalition**

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## ***Put Science, Not Politics, in Charge*** **New York City Residents and Workers Blast EPA's Deeply Flawed Program for 9/11 Contamination and EPAs Plan to Kill Community Role in Decision-Making**

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The WTC Community-Labor Coalition expressed outrage at EPA's release late yesterday of a deeply flawed and irresponsible test and clean program, instead of a real sampling plan to uncover remaining WTC hazards in apartments and workplaces. The Coalition, a broad network representing hundreds of thousands of stakeholders in Lower Manhattan, including community groups, labor unions, tenants associations and advocacy organizations, also denounced EPA's peremptory shut down of the EPA panel process, with the December 13th meeting as the panel's last.

The EPA's first attempt at developing a plan went aground after the 'signature', EPA's proposed marker for WTC dust, was rejected last month by a peer-review committee. That rejection had been predicted by a number of panelists as well as independent experts working with the coalition, who have raised serious questions over many months about the underlying science of the 'signature.' In its final report, the peer review panel took the unusual step of questioning the scientific integrity of the signature study EPA produced to support going forward with a program that would deny cleanup for any indoor space, however contaminated, that lacked a slag wool marker.

Now, without any further discussion with the community or the panel, EPA has announced that it will enact Plan B, a plan which repeats the past mistakes the EPA's own Inspector General identified in its heavily critical 2003 review of EPA's response, including the disenfranchisement of workers who will not be able to request testing and cleanup, the reinstatement of a restricted testing area below Canal Street, and the failure to produce a protocol to adequately test for hazards in HVAC systems.

"The plan the EPA is offering remains scientifically unsound. It creates so many impediments to finding contamination, that we wonder if any cleanups will result. I'm not sure whether this plan is designed to protect City residents or the EPA & the Bush administration -- what happens here could set a bad precedent for EPA cleanup standards around the country for acts of terrorism and natural disasters," said Catherine McVay Hughes, Lower Manhattan resident, Community Liaison to the EPA panel, chair of Manhattan Community Board 1's Redevelopment Committee.

Micki Siegel de Hernandez, the Labor Liaison to the EPA panel, and the Health and Safety Officer for Communications Workers of America, District One, responded: "The EPA has constantly derailed the panel process over the last year. Once the EPA's signature was rejected by the peer panel, the EPA simply slammed the door on rational discussions about

a viable alternate plan. Behind closed doors, the EPA has literally thrown out months and months of negotiations and recommendations made by the panel. One such recommendation, the inclusion of workplaces in the sampling program, has been totally rescinded by the agency. This formalizes the EPA's appalling disregard for the health of workers. This plan is a scam crafted to perpetuate EPA's long-standing coverup of the truth."

"EPA's testing plan is not a clean-up plan but a cover-up plan. Four years after the 9/11 tragedy, EPA is now repeating itself. EPA did not have the scientific data then to declare the air was safe. The EPA does not now have adequate data now to say that it is safe to live or work in buildings in Lower Manhattan. By reverting to the kind of inadequate, poorly publicized clean up EPA previously carried out for a small fraction of residences in only part of Lower Manhattan, EPA intends to conduct more technically flawed testing with the goal of declaring the air is now safe...and has been safe since the 2002 clean up." - Stan Mark, Program Director, Asian American Legal Defense and Education Fund

"Many residents of the Lower East side suffered serious, lasting health impacts. For over a year, we were led to believe that we were negotiating with EPA over the quality of the sampling they would do, with the clear understanding that EPA had agreed to test at least to Houston Street. Now, EPA has torn up that agreement. We have been betrayed, once again. Once again, politics has won out over public health. Shame on you, EPA." - Barbara Caporale, Rebuild with a Spotlight on the Poor Coalition, a coalition of more than 20 community-based organizations in Lower Manhattan.

"For more than 20 months, many residents and workers, many organizations have poured their energies into the panel process with the hope that we could cut through all the political stonewalling and subterfuge and put science back in charge. This was the only way to get to the bottom of how much and where WTC hazards remained that could, with day in and day out exposures, do serious damage to people's health, especially children. On December 13th we will let EPA know in no uncertain terms that their plan lacks credibility and their unconscionable efforts to produce another false all-clear will not succeed." - Kimberly Flynn, Co-coordinator, 9/11 Environmental Action.

"For nearly two years the EPA has been insisting that any cleanup plan must be based on sound science. Last month the EPA has had one proposal rejected by scientists because it couldn't pass the scientific smell test, and now EPA is going to impose, by fiat, a plan that does not have a scientific leg to stand on." - Joel Shufro, New York Committee for Occupational Safety and Health.