UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NEW YORK 10007-1866

February 4, 2009

Mr. Edward A. Gerdts
Vice President
TRC Environmental Corporation
1430 Broadway – 10th Floor
New York, New York 10018

Re: February 4, 2009 Proposed Deconstruction Plan Amendment Request – Modification to the November 4, 2008 Modification of the September 8, 2008 Replacement of the May 16, 2008 Approved Variance Reopening and Deconstruction Plan Amendment: Alternate Abatement Approach – Fireproofing Third Floor, 130 Liberty Street, New York, N.Y.

Dear Mr. Gerdts:

This is to inform you that the U.S. Environmental Protection Agency (EPA) has completed its review of the February 4, 2009 "Proposed Deconstruction Plan Amendment Request – Modification to the November 4, 2008 Modification of the September 8, 2008 Replacement of the May 16, 2008 Accepted Deconstruction Plan Amendment: Alternate Abatement Approach – Fireproofing Third Floor" submitted by TRC Environmental Corporation (TRC) on behalf of the Lower Manhattan Development Corporation for 130 Liberty Street in lower Manhattan.

Based on our review, and in consultation with the New York State Department of Labor (NYSDOL) and the New York City Department of Environmental Protection (NYCDEP), EPA accepts the above-referenced proposed amendment.

EPA's review is not intended as a review and/or acceptance of structural engineering and safety matters or requirements for the protection of worker safety and health or for fire protection and safety at 130 Liberty Street. EPA is relying on the New York City Department of Building's, the U.S. Department of Labor Occupational Safety and Health Administration's and the New York City Fire Department's expertise in these areas, respectively.

EPA will continue to work with our regulatory partners to monitor the 130 Liberty Street activities throughout the execution of the project.

Sincerely,

Pat Evangelista
New York City Response and Recovery Operations

cc: Richard Mendelson, OSHA
Christopher Alonge, NYSDOL
Krish Radhakrishnan, NYCDEP
Robert Iulo, NYCDOB
Thomas Kunkel, LMCCC
Michael Weinlein, FDNY