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

June 3, 2009

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

Re: June 3, 2009 Proposed Modification to the Accepted May 6, 2009 Variance and Amendment to the Deconstruction and Implementation Plan - Removal of Bank of America ATM Cassettes from the 2nd Floor ATM Machines: Removal of Bank of America ATM Machines from the 2nd Floor to the 1st Floor, 130 Liberty Street, New York, New York.

Dear Mr. Gerdts:

This is to inform you that the U.S. Environmental Protection Agency (EPA) has completed its review of the June 3, 2009 "Proposed Modification to the Accepted May 6, 2009 Variance and Amendment to the Deconstruction and Implementation Plan - Removal of Bank of America ATM Cassettes from the 2nd Floor ATM Machines: Removal of Bank of America ATM Machines from the 2nd Floor to the 1st 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 modification.

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
Christopher Santulli, NYCDOB
Thomas Kunkel, LMCCC
Michael Weinlein, FDNY