

## 9/11 and the Environment: The Government Response

by Eric Goldstein

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The September 11th attacks on the World Trade Center presented unprecedented challenges to our elected officials and their environmental and public health administrators.

As is now widely recognized, the response of Mayor Rudy Giuliani and other officials, their staffs and volunteers to the events of that day was, on the whole, magnificent and one for which New Yorkers remain proud and grateful.

Nevertheless, in the area of public health and environmental safety, shortcomings occurred in government's response to the World Trade Center attacks.

To be sure, in the hours and days after the collapse of the towers, the obvious priority were search and rescue operations. In addition, our nation was confronting not simply an environmental disaster but an act of war; there were numerous important concerns that demanded attention from government leaders. Moreover, the size and scope of the environmental and public health problems posed by the Trade Center's implosion and the ensuing fires, by themselves, constituted a unique set of challenges for understandably surprised agency leaders.

Despite such enormous difficulties, however, it must be acknowledged that public health and environmental officials made critical, though unintentional, mistakes in the days, weeks and months following September 11th.

### **BACKGROUND**

As we reported in last month's Gotham Gazette ["Environment" column](#), medical and environmental experts believe that the September 11th attacks triggered one of the worst air pollution episodes in New York City's history. An intense and dangerous cloud of pollution was produced from the avalanche of debris when the two 110-story office towers collapsed. Noxious fires, initially ignited by thousands of gallons of jet fuel, continued to burn at Ground Zero for more than three months. Tens of thousands of firefighters, other first-responders, fleeing office workers, building clean-up crews and downtown residents were among those who suffered adverse respiratory impacts. Independent medical specialists believe that at least a small

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portion of the thousands who experienced coughing symptoms, breathing difficulties, new-onset asthma and other respiratory and systemic conditions will suffer long-term health problems as a result of their exposures following September 11th.

Various city, state and federal environmental and public health agencies responded to the massive challenges posed by the September 11th attacks. While there is much that these departments and their dedicated staffs did to assist New Yorkers in need, at least five significant actions taken by top officials now appear to have been in error.

### FIVE MISSTEPS

One of the first and most troubling missteps occurred in the first days after September 11th, when the nation was still reeling. On September 18th, U.S. Environmental Protection Agency Administrator Christine Todd Whitman issued an official statement in which she said: "I am glad to reassure the people of New York . . . that their air is safe to breathe and their water is safe to drink." Other statements from federal and city environmental and health agencies couched their own statements during the month of September in similar terms, following the administrator's lead.

The desire to put the minds of New Yorkers at ease and get the city up-and-running was understandable. But such blanket statements over-simplified a complex situation in which different people faced different risks, depending on the intensity and duration of their exposure to Trade Center pollutants. And by serving to falsely reassure workers, for example, that the air was safe to breathe, such pronouncements probably decreased the number of rescue and recovery personnel who utilized appropriate respirators during their activities at Ground Zero. The reassurances may have also convinced some Lower Manhattan building owners, businesses and residents to delay professional clean-ups or to take fewer precautions when undertaking their own clean-up work.

A second shortcoming at the federal level involved the Occupational Safety and Health Administration ("OSHA"). That agency, which is responsible for insuring work safety at locations such as the Trade Center site, had agreed to forego its normal enforcement function and instead settle for an advisory role at the site. As a result of that agreement, OSHA was unable to enforce the basic safety requirement that workers confronting contaminated dust and toxic fires at Ground Zero be required to wear protective respirators.

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Again, one can sympathize with the unusual situation that OSHA officials found themselves in and recognize their desire (which all New Yorkers shared) to do everything possible to help expedite the search for survivors. But even weeks and months after 9/11, when the prospects for rescue had diminished, OSHA's failure to insist upon respirator use by at-risk Ground Zero workers continued. As a result, at least hundreds of workers were confused about health risks and procedures, and were unnecessarily exposed to potentially dangerous air and dust.

A third error was New York City government's unwillingness to request as much help as was needed from the U.S. Environmental Protection Agency and federal health units such as the Centers for Disease Control. The U.S. EPA had available significant expertise and a dedicated staff capable of assessing and addressing wide-ranging air quality issues. Nevertheless, the Giuliani Administration did not specifically request federal help on such issues as air pollution testing and clean-up in Lower Manhattan residences or in the neighborhood's public schools. Nor did top city officials reach out aggressively to secure federal medical assistance in assessing public health problems, such as the "World Trade Center cough," when these problems first emerged.

The Giuliani Administration's response -- assuming full command and seeking to control all phases of the September 11th rescue, recovery and restoration efforts -- served the city well in many areas. But in the case of the public health problems posed by the Trade Center-generated air quality problems, it meant that the city did not take advantage of federal experts and resources that were needed to supplement overburdened city environmental and health agencies. A major reason why the U.S. EPA did not get involved until the late spring in addressing indoor clean-up issues in Lower Manhattan, for example, was simply that the Giuliani Administration had failed to request such assistance.

A related shortcoming involved the city's decision to avoid a direct role in issues related to pollution clean-up and reoccupancy of residences and commercial establishments in the World Trade Center vicinity. The city's Department of Environmental Protection, under then Commissioner Joel Miele, essentially left to building landlords the task of insuring that dust and pollution were safely and completely removed from their buildings. The agency neither established specific clean-up tests and protocols, nor required building owners to submit proof that residences and common areas had been appropriately cleansed prior to reoccupancy. To make matters worse, the city's Health Department initially posted confusing and in some cases incorrect information for how residents should perform self clean-ups of their apartments.

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As a result of such policies, unsupervised indoor clean-ups varied widely in quality and many Lower Manhattan residents remained perplexed for months about the safety of their apartments. To be sure, large commercial building owners were generally successful in providing their office tenants with space that had been thoroughly cleaned and tested for remaining contamination. But thousands of residents felt abandoned by the city, as they tangled with insurance companies and building owners while trying to become experts on such technical issues as asbestos and particulate matter measuring.

A fifth shortcoming in government's reaction to the unprecedented challenges posed by the September 11th attacks was an environmental health leadership gap. City, state and federal environmental and public health agencies met frequently at the staff level. But top officials failed collectively to designate a single person or agency to lead the overall environmental health response. No single spokesperson emerged to speak definitively to the public regarding respiratory problems, air quality levels or pollution clean-up issues. More than a dozen agencies were involved in addressing some aspect of these problems, but no single unit of government seemed to be in overall charge of these issues.

This led to long-lasting public uncertainty. It often seemed as if physicians in non-governmental institutions, such as the city's leading hospital facilities, were doing a better job at communicating risk and clean-up information than the numerous public officials who were ostensibly charged with performing such duties. This situation, combined with earlier governmental pronouncements that air quality posed no real problem, led many New Yorkers (including those experiencing respiratory symptoms) to mistrust the environmental health information that government was providing, even in situations where the government pronouncements were broadly shared by independent medical experts.

### GOVERNMENT'S RESPONSE IN CONTEXT

These five missteps do not, of course, tell the whole story of the government's response.

For one thing, the problems stem from leadership decisions of top officials and do not for the most part reflect the performance of staff at the various governmental agencies. There are many examples of dedicated environmental and public health staff level employees who worked long hours to help alleviate the unprecedented environmental problems. Scores of EPA personnel, to cite just one example, set to work bringing in equipment from around the nation to clean contaminated debris from the streets, collect hazardous waste, test the air, and wash off

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workers who were leaving the Trade Center site.

In short, there were staff people at virtually every agency who worked in heroic fashion to help New Yorkers recover from this environmental attack.

We should also not forget the many elected officials who sounded the alarm about environmental health problems and who, led by Congressman Jerrold Nadler and Senator Hillary Rodham Clinton, did much to advance long-delayed remedial action.

New Yorkers and their elected officials must now reassess that response honestly and fairly, correct remaining difficulties, and revise their plans and practices to assure that New York City and the nation will be better prepared for any future environmental health emergency.