



DEPARTMENT OF BUILDINGS

EXECUTIVE OFFICES
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Satish K. Babbar, R.A., Acting Commissioner
(212) 312-8000, TTY: (212) 312-8188
Website: nyc.gov/buildings

February 15, 2001

Mr. Arnold P. Wendroff, Ph.D.
Mercury Poisoning Project
544 Eighth Street
Brooklyn, NY 11215-4201

Dear Mr. Wendroff:

Your letter (*with attachments*) to Acting Commissioner Satish K. Babbar, R.A., of the Department of Buildings (Department) was referred to me for reply.

The Department's Records Access Officer did inform you in a letter dated September 25, 2000 that there are no City regulations governing spillage reporting or remediation requirements for mercury as to the Department. You should contact the appropriate State or Federal agency to inquiry about their regulations governing reporting and/or remediation of mercury spillage.

Previously, the Department's Executive Engineer informed you in a letter dated July 24, 2000 of two State agencies (*NYS Department of Environmental Conservation and NYS Department of Health*) to report mercury spillage. In addition, the Executive Engineer sent the Department's TPPN #2/99 which allows the substitution of other types of gauges for the testing of gas piping systems.

Finally, there is a local law before the City Council (Intro. No. 832) that would amend the NYC Administrative Building Code in relation to banning the testing of gas piping systems with gauges that use mercury. The Department's Chief of Staff gave testimony on November 9, 2000 supporting such a ban. In addition, a Deputy Commissioner of the NYC Department of Environmental Protection and a representative of the NYC Plumbing Foundation also gave testimony supporting such a ban. It is up the City Council to determine if they want to go beyond the scope of the proposed local law.

Sincerely,

Douglas J. McDonald
Executive Assistant

DJM:gt

c: Satish K. Babbar, R.A., Acting Commissioner
Ronny A. Livian, P.E., Acting Deputy Commissioner
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Rosaria R. Esperon
DEPUTY COMPTROLLER FOR CLAIMS AND
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ALAN G. HEVESI
COMPTROLLER

February 16, 2001

Arnold P. Wendroff, Ph.D
544 Eighth Street
Brooklyn, NY 11215-4201

Dear Mr. Wendroff:

Thank you for your January 13, 2001 letter.

After receiving your letter, we scheduled a meeting with NYC Department of Health staff concerning their activities regarding the sale of mercury for ritualistic use. DOH staff described their efforts, including participation in a task force with the NYS Department of Health and US Environmental Protection Agency. As the City agency responsible for matters involving the public health, DOH assured us they are taking reasoned and responsible steps in pursuing the matters over which you have expressed concern.

If you have any new independent data or research that may be helpful, please consider sharing it with the NYC Department of Health or with the task force with which you indicate familiarity, and with this Office. We truly appreciate your efforts to protect the public health.

Sincerely,



Rosaria R. Esperon

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Wendroff.epw