



**TESTIMONY OF SUZANNE Y. MATTEI
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THE POLLUTION AND DECEPTION AT GROUND ZERO REPORTS
TO THE UNITED STATES HOUSE OF REPRESENTATIVES
SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS
AND CIVIL LIBERTIES'S "OVERSIGHT HEARING ON THE U.S. ENVIRONMENTAL PROTECTION
AGENCY'S RESPONSE
TO AIR QUALITY ISSUES ARISING FROM THE TERRORIST ATTACKS OF SEPTEMBER 11, 2001:
WERE THERE SUBSTANTIVE DUE PROCESS VIOLATIONS?"
JUNE 25, 2007**

Good afternoon. My name is Suzanne Mattei. I am the former Sierra Club New York City Executive and author of its *Pollution and Deception at Ground Zero* series of reports on the harmful impacts of the 9/11 pollution and our federal government's failure to warn the public and provide a proper response. The reports also urge that our federal government's new disaster response policies perpetuate its failures at Ground Zero.

Most Americans know more about Paris Hilton than about what happened in New York City after the terrorist attack of September 11, 2001. They do not understand that it happened in a residential area. Lower Manhattan looks like a commercial zone, but people live there. The community district that includes the World Trade Center was home to over 2,700 children under age 10 at the time of the attack. Most Americans also do not understand how long Ground Zero burned. The fires were not officially declared out until three months after the attack. And even after that, as debris removal opened up new areas, the site emitted smoke. One resident living nearby recalls the weekend of St. Patrick's Day, in 2002, when she looked out the window and saw smoke from the pit – half a year after the attack.

So the exposures were much more extensive and prolonged than most Americans realize.

The deaths on September 11th were devastating, but our government could have and should have done much more to control the lingering harm. It should have warned people against exposure and reduced the duration of exposure through proper cleanup.

Instead, it did the opposite. It encouraged people to ignore their own common sense. The air looked bad and smelled bad. Using common sense, many people would have guessed that the air was unsafe for themselves and their children. But EPA's broad, unsupported assurances of safety interfered with that common sense reaction. I recall people saying, "It smells awful, but EPA says it's not really that bad." The sad irony is that if EPA had said nothing at all, the public probably would have been better off, because more people probably would have heeded their own common sense.

Calling the September 11th attack "unprecedented" can be misleading. There was no excuse for failure to warn about known hazards. Yes, the terrorist attack itself, causing widespread destruction on American soil, was unprecedented. But the event's physical results on the environment were not truly without precedent. Planes have crashed and burned before. Buildings have caught fire before. Buildings have even collapsed before. We actually know quite a bit about what happens when uncontrolled fires burn mixed materials, and when buildings collapse.

EPA has been studying the products of uncontrolled incineration for decades and is very knowledgeable about demolition as well. It did not have to take a single test to know that the massive amount of dust released by the towers was harmful. It should have issued a health warning right away.

- Even if dust contains no toxic chemicals at all, it irritates the human respiratory system. EPA should have immediately warned the public – especially people with asthma and respiratory conditions – to avoid exposure, before any test results for toxic chemicals came back.
- EPA knew that the towers contained asbestos – this had become widely known after the first attack on the World Trade Center in 1993.
- EPA knew that the towers contained thousands of computers, plastics and electrical equipment, all of which would emit toxic chemicals when burned. It did not have to consult any existing database on storage hazardous materials at the site to take cognizance of this.

Our federal experts knew all these things before taking a single test. There can be no excuse for issuing broad assurances of safety when two massive office towers burn and collapse.

So the concern is not just that EPA lacked the test results to justify its early assurances of safety – as noted in the Inspector General's 2003 report. It is worse than that. Our government issued those safety assurances even though EPA's own vast body of knowledge, built up over three decades of research, indicated that the pollution would be harmful.

Also, EPA should have changed its safety assurances when new information on health risks emerged. It did not do so. It did not do so when tests showed the presence of toxic hazards, and it did not do so even when it became apparent that people were getting sick.

The first *Pollution and Deception at Ground Zero* report contains a table entitled, "What Was Known, What Was Said." The table documents at least a dozen instances in which EPA had information indicating health risks yet failed to correct its assurances of safety. Despite early dust tests indicating the presence of asbestos, for example, a sentence stating concern for workers who might be returning to their offices on or near an area with asbestos-containing dust was deleted from EPA's September 14 draft press release. Also, the federal administration failed to issue a press release when the U.S. Geological Survey sent test results to its sister agencies on September 27, 2001, documenting that the 9/11 dust was highly caustic. The public did not hear anything about this until over four months later, when the *St. Louis Post Dispatch* released an article about the data. Among those expressing surprise at the time was one of the leading medical doctors who had been screening the already ailing Ground Zero workers.

EPA's responses to the revelation of hazards tended to be defensive rather than corrective. Perhaps the worst example is its response to a disclosure of benzene pollution on the pile. Research by environmental attorney Joel Kupferman, published in the *Daily News* by journalist Juan Gonzalez, revealed tests showing elevated levels of certain pollutants from Ground Zero. One of them was benzene, a known human carcinogen that can cause leukemia. EPA argued that while a benzene sample at the surface of the pile had a high reading, EPA had found lower levels in what it called the "breathing zone," five to seven feet above the debris pile. The rescue and recovery workers were reaching in and pulling out debris and human remains by hand. Their breathing zone was not between five and seven feet above the debris pile.

Our federal government's inaction in the face of new information continued as study after study documented health impacts not only among workers from the pile but also area clean-up workers and even residents. Today, over five and a half years later, denial is still the order of the day. The assurances of safety have never been retracted, and this has had consequences.

Consider the federal government's weak response to the health impacts from 9/11 pollution, which Jonathan Sferazo, a Ground Zero ironworker and President of the Unsung Heroes Helping Heroes, calls an "epidemic." The General Accounting Office issued a report on the government's slipshod approach to assessing those health impacts. In plain language, the conclusion is this: The federal government has not even bothered to find out how many people are sick. Why? Perhaps because these people are not supposed to exist. But they do exist, and they are suffering. Only now, five years later, are we beginning to see some federal money for medical treatment, but it is terribly inadequate and does not begin to touch the demoralizing economic impacts that many of these hard-working people and their families now face.

This hearing is a historic step to investigate what really happened after the September 11th attack. We cannot control everything, but our federal government certainly could have controlled this attack's toxic consequences far better than it did. We need action, to right at least some of the wrongs that have occurred. Also, we must prevent such harms from happening in future disasters.

Unfortunately, our federal government has not learned from its Ground Zero debacle. Under its National Response Plan, worker health and safety standards will not be enforced in national disasters. Also, the Plan centralizes and controls the release of information, which can facilitate politicization of health warnings, as occurred after 9/11, without a strong precautionary policy to err on the side of protecting human health in the absence of full information. Finally, the Department of Homeland Security's new guidance document on radiological cleanup would encourage consideration of economic factors, even impacts on tourism, in determining public health risks from a dirty bomb or other terrorist-wielded nuclear device.

Some people may be suffering from media fatigue. They may be tired of hearing about Ground Zero. They may wonder why New York City residents don't just "get closure" and "move on." The answer is, we cannot. We are still living with the toxic aftermath of the attack. Until our government does the right thing, we will never be able to have "closure." And until our government takes the proper steps to make sure that the failed response at Ground Zero never happens again, in any future national disaster, no American can truly have "closure."