Testimony of
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**Before the New York City Council Committee on Lower Manhattan
Redevelopment, jointly with the Committee on Technology in Government**

**"Oversight - Community Notification of Catastrophic Incidents - Lessons Learned
from the Deutsche Bank Fire and other Recent Incidents"**

September 19, 2007

Councilmember Gerson, and other honorable members of the City Council:

I live at 125 Cedar Street, in lower Manhattan, across a narrow street from the Deutsche Bank demolition site. I regret being unable to appear in person before today's hearing, but appreciate the opportunity to submit this written testimony.

When the plan for Deusche Bank's demolition was first promulgated, I was among those neighborhood residents who repeatedly requested an emergency plan, including a notification system to nearby residents and drills in which we would be trained or rehearsed in emergency procedures. The response of the L.M.D.C. and associated agencies was first to assure us that no untoward events would ever happen in this, the safest of all possible demolitions, then to assure us that an emergency plan consisting of calling 911 would suffice, and finally to advise us that we should rely upon ourselves or our neighbors, who were all urged to receive CERT training, for our safety.

In the months since the demolition began, my neighbors and I have seen glass and other debris fall to the street, overloaded dumpsters being used by contractors to remove building debris, a heavy pipe fall through the roof of our neighboring fire house, unacceptably slow response to stop work orders, unsafe storage of materials on the edge of the Deutsche Bank roof, unsafe work practices, and the utter lack of safety precautions that led most tragically to the August 18 fire that killed two firefighters. My own apartment has taken two direct hits from Deutsche Bank: a chunk of concrete fell onto my terrace and a section of the metal walkway of the scaffolding, which I understand to have weighed more than 50 lbs, hit the roof above my kitchen ceiling and toppled the stack vent for our residential building.

These experiences have served only to deepen my cynicism about the assurances given us by public officials regarding our safety. The untoward events have been constant, despite the expenditure of millions of dollars on compliance monitors, on-site supervisors and the like. Emergency responders at the fire were far too busy responding

to the fire to turn their attention to notifying the neighbors about an appropriate response, whether it was safer to stay or to go. The existing CERT teams were given no instructions by the City and were completely overlooked. While I in no way denigrate their training, dedication, and exceptional spirit of voluntarism, CERT team members lacked the training or authority to take independent action to protect or instruct their neighbors.

Based on these months of experience, I have regretfully come to conclude that the variety of potential emergencies in a project like the Deutsche Bank demolition is so broad and the likelihood of effective follow through by public authorities in case of emergency is so slim that a formal emergency plan that envisions quick and detailed instructions to neighbors is impossible to achieve. It would provide at best a false illusion of safety. E-mail notices, phone trees, and other systems requiring detailed communication and advice from the City will not happen, at least not in sufficient time to address an emergency. We are on our own.

I ask, therefore, that in situations like this one the City guarantee our safety (a) principally by augmenting considerably its supervision of compliance with safety rules and, on public projects, ensuring the integrity and experience of the contractors; and (b) secondarily by instituting a very basic and simple notification system that would stand some chance of actually being carried out in an emergency. To be short about it, if an alarm or loudspeaker notice is given within the Deutsche Bank building advising workers to evacuate, I want to hear that alarm or loudspeaker in the hallways of my building as well so I can evacuate my home at the same time.

I do not question the potential value of sophisticated systems like reverse 911 for large scale and more predictable emergencies, such as hurricanes. I question both the ability and the inclination of the City to respond to the less foreseeable and considerably more localized emergencies created by a project like the Deutsche Bank demolition. For that sort of project, a simple notification system that does not rely on anyone having to remember that there are neighbors in need of protection, but rather happens automatically, would be preferable.

REVERSE 911® Testimony

Rick Wimberly
Area Sales Manager
September 18, 2007

My name is Rick Wimberly. I represent the company REVERSE 911®. We appreciate this opportunity. For the purpose of introduction, I've been involved in public notification for over nine years with Dialogic Communications Corporation...a company that has been handling critical notifications for over twenty years. DCC is co-owned along with REVERSE 911® by PlantCML. Between REVERSE 911® and DCC, we represent the best-known name in notification and the largest, most experienced notification organization in the country. And, with our parent company PlantCML, we represent one of the largest private enterprises devoted to serving public safety organizations in the country...Many Success Stories to our customer's credit, as you'll see in the hand-out document.

What I thought would be helpful today is addressing realities of public notification. As we've learned through our experiences in Los Angeles, Chicago, Miami, and other such areas, notification challenges are acute in large metropolitan areas.

The biggest challenge is naturally the size of the population. In an ideal world, it would be nice to be able to flip a switch, make an announcement, and know that millions of people would get the message within minutes. That's not practical; it won't happen. There are infrastructure restrictions that would come to the surface; the telephone infrastructure would not support it, and even with notification delivery mechanisms, such as email and SMS, the communications infrastructure would be significantly taxed, if not overwhelmed.

The answer is strategic notification delivery.

I spoke to a city council in another large city several years ago, being challenged by an elected official who said, "This sounds well and good, but I don't understand how you're going to help us in an earthquake." My response was blunt, "If you think we're going to call the residents and tell them the earth is shaking, you're sadly mistaken. We can't and neither can anyone else." The reality is that people don't need to be called and told the earth is shaking. What they really need is to know is what to do once the shaking stops. In a major event, particularly when life is threatened, people need specific information about specific places.

That's where strategic notification delivery comes to play.

Case in point: September 11th. We had notification systems in a number of organizations immediately impacted. Several of our systems were, in fact, destroyed during the attacks. As we watched in horror that morning, we thought that this would be our busiest day ever. As it turns out, it wasn't. Demands on our notification solutions were much greater the days, and even weeks, following the attacks.

For example, in the days after the attacks, a major financial institution with a large operation here in the City was able to contact their employees, provide guidance and comfort, and resume operations quickly – partly because they had our automated notification system in place to spread the word…and, spread it strategically – delivering one set of notifications to one group of people, and other sets of notifications to other groups, depending on what needed to be done. It wasn't to tell the employees that our nation had been attacked. It was to tell them what to do to get back to business.

There are tools that will help with strategic notification delivery. They include digital maps. Using geographic information system…or GIS…maps, operators can precisely define a geographic area to be notified. Residents can register to receive notifications.

Strategic notification delivery can be helped through using multiple modes of delivery – home phones, work phones, cell phones, email, SMS, satellite phones, text messaging. In

other words, we can tell our systems to use whatever devices are available...and, base the choices on the type of event.

Strategic notification delivery can be enhanced by the technology and telecommunications configuration. We can assess where it would be most logical for us to locate notification servers to help ensure delivery at high volumes – taking advantage of strengths and avoiding weaknesses of the telecommunications infrastructure. Notifications can also be delivered from out-of-state.

Strategic notification delivery spans well beyond public notifications – to making sure that the right people are in place who can help. This involves establishment of notification rules that address the realities of the situation at hand – often tied to other solutions. For example, the City of Los Angeles has their notification system tied directly to their staff scheduling system for the L-A Fire Department. Their notification lists are automatically updated to make sure proper people are notified. Creative work can also be done in conjunction with an organization's complete communications plan, linked to notification.

Bottom line is that automated public notification can clearly be highly effective, and can be practical...even for the City of New York. It requires acceptance of certain realities, a "complete notification solution approach", and strategic delivery.

Thank-you.

The Council of the City of New York
Committee on Lower Manhattan Redevelopment and
Committee on Technology in Government

Oversight Hearing on
Community Notification of Catastrophic Incidents -- Lessons Learned
From the Deutsche Bank Fire and Other Recent Incidents

Testimony by Julie Menin, Chairperson, Community Board One

Wednesday, September 19, 2007, 11 a.m.
Council Chambers, City Hall

Thank you, Speaker Quinn and Council Members Brewer and Gerson, for convening this important hearing on Community Notification of Catastrophic Incidents. I am Julie Menin, the Chairperson of Community Board One (CB#1), and I am grateful for the opportunity to testify this morning. I also want to thank you, Councilman Gerson, for your leadership and assistance with this recent crisis. You and our other elected officials have helped us tremendously in our effort to understand why this tragic incident occurred and how to make sure nothing else of the kind happens again.

The recent tragic fire at 130 Liberty Street (the Site) clearly demonstrates the need for an effective plan to notify community residents and workers in the event of an emergency. CB#1 has for years been demanding through both written and verbal communication the adoption of a proper community notification plan for catastrophic events and emergencies. In my letter to then Lower Manhattan Development Corporation (LMDC) President Stefan Pryor, dated October 27,

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2005, I made a series of very specific suggestions, including phone trees, e-mail blasts, two-way hand-held radios and building captains. Despite these repeated and specific efforts, there was minimal community notification on the day of the fire, August 18, 2007, and considerable confusion in the community about the events taking place and how to respond to them.

CB#1 has now had three emergency meetings concerning the recent events at the Site, but there remain many unanswered questions. We feel very strongly that we cannot wait another day, week or month for an effective community notification plan. It is shocking that a great city like New York still does not have a proper plan in place to inform citizens in the event of an emergency. This is a matter of special urgency to us in Lower Manhattan, given the unique security risks that we face from the high number of sensitive sites located in our area, including 60 Hudson Street, the New York Stock Exchange and the World Trade Center site.

Community Board One has for years emphasized the importance of applying lessons learned from September 11 to future emergencies. In a resolution passed in July, 2004, we specifically addressed the need for an emergency notification plan in connection with the lengthy process of demolishing 130 Liberty Street. We recommended in this resolution that "contingency plans ... be developed and enforced in conjunction with the Fire Department of New York, the New York City Police Department, and any other relevant emergency management agencies in the event that any emergency arises, such as fire, on-site injury, contaminant release, or other disaster."

To ensure that community safety is regarded as a matter of paramount importance and community concerns are given the serious consideration that they require, LMDC – the owner of 130 Liberty Street -- must create a workable mechanism whereby resolutions, letters and other

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written or oral communications directed to the LMDC by CB#1 are responded to in a timely manner and not ignored as has happened too often in the past.

Both an updated and approved Health and Safety Plan and an Emergency Notification and Evacuation Plan must be rapidly developed and put in place before decontamination and demolition can proceed, and such plans must be shared with the public in a public meeting and posted on-line and approved by all the relevant agencies.

In a resolution that we passed unanimously last night, CB#1 called for specific next steps to be taken to ensure that effective community notification takes place if there are any more emergency situations associated with the demolition of 130 Liberty Street. These steps should include the following:

- Develop an Emergency Action Plan with a contingency plan for various emergencies – including fighting fires – and make sure that as work proceeds in the building the response team is given the floor plans as they change. Make sure that all the relevant agencies (including FDNY, OSHA, and OEM) meet regularly and address these plans and that dates and results of inspections and reports by FDNY, OSHA, OEM and other agencies are publicly posted,

- Create an Emergency Notification and Evacuation Plan – an effective communication plan from city agencies to neighborhood residents and businesses. Reverse 911, text messaging, a phone tree, televised announcements, and other suggestions should be considered for inclusion in the plan. Such communications should include guidance as to whether residents and workers should evacuate or stay in their homes or at work, whether they need emergency breathing apparatus and if a building is in danger of collapse,

- Implement tests of the various types of Emergency Notification and Evacuation Plans as described by Deputy Mayor Skyler before and after demolition begins again, and perform such tests on the regular basis during the demolition process,

- Include appropriate information and actions for special needs, disabled, and deaf persons in the Emergency Notification and Evacuation Plan,

- As Deputy Mayor Skyler noted in his opening statement that Civilian Emergency Response Teams (CERT) will play an important role in responding to future emergencies, take steps to ensure that funding for CERT is included in the City's annual budget instead of being dependent upon yearly grants.

We also believe that it is of great importance for parents to be able to communicate with their children during emergencies. In this regard, I would like to commend the City Council for its recent vote in support of Intro 351, to permit schoolchildren to carry cell phones in school. In our resolution passed in June, 2006, CB#1 supported Intro 351, and the ability of principals of individual schools to fashion their own policies regarding cell phones, and opposed any blanket ban on cell phones in the New York public schools. CB#1 believes that if the City implements a procedure whereby parents are notified of emergencies via cell phone, it would be consistent with this policy to permit parents to use cell phones to remain in contact with their children during emergencies as well.

The lessons learned from the recent tragedy at 130 Liberty Street must be implemented not only there but also at Fiterman Hall, 130 Cedar Street, and other relevant sites in CB#1 and elsewhere. We thank you for today's hearing and look forward to your findings and recommendations.

TESTIMONY OF DAVID G. KAMIEN BEFORE NYC COUNCIL - COMMITTEE ON LOWER MANHATTAN REDEVELOPMENT

September 19, 2007

Mr. Speaker/Council President Quinn and respected Council members, I would like to thank you for the opportunity to testify before the Committee today about an issue of tremendous importance for New York City - improving crisis and emergency risk communication and technology project budgeting through information flow modeling. As we have seen in past terror attacks and natural disasters, communication is key to an effective emergency response. This did not start with the attacks of 9/11. To realize the need for improvement, reflect on the first WTC bombing in 1993, where for the first 90 minutes people thought it was a transformer explosion. Developing emergency communications plans and allocating funding to communication technology projects must be undertaken with a risk management approach.

To put my comments into context I would like to provide a brief summary of my background. I am currently the CEO of a consulting and technology firm, Mind-Alliance Systems, LLC. For the last six years I have analyzed Homeland Security information flow challenges, some of which are described in my book, The McGraw-Hill Homeland Security Handbook. Previously I advised the large telecom companies and government agencies on communication and technology policy and regulation. Born in NYC, I also engaged in security operations as an officer in the Israel Defense Forces and experienced terrorism as a civilian in Israel before returning to the NY area just prior to 9/11.

My goal is to draw your attention to information flow modeling, a risk-based management strategy and technology for improving crisis and emergency communication and allocating resources effectively to technology projects. To effectively reduce the risk of breakdown and delay in the flow of information government agencies need to engage in pre-event modeling of information and communication flows, and assess their state of readiness relative to the capabilities they expect organizations to have in the actual emergency.

Testimony of David G. Kamien   September 19, 2007

I will begin by describing some of the organizational and technical challenges that emergency planners currently face. Additionally, I will describe the objectives supported by modeling the flow of information and developing communication plans.

Emergency Communication Planning Challenges

Any major manmade or natural disaster that impacts our region will involve many governmental and non-governmental organizations. The need to convert raw data into usable information is paramount for ensuring that proper information reaches the correct organizations. Participating agencies need to both provide information to, and receive information from, other organizations in a timely, accurate, secure and policy-compliant manner. For example, if there is a need to evacuate part of Manhattan following a radiological dirty bomb, obtaining and disseminating information about the status of transportation routes and contamination will be critically important. There are thousands of elements of information that need to move back and forth between hundreds of organizations.

Some of the hardest remaining challenges to achieving robust and interoperable communications are in the realm of governance and development of common operating protocols. Planners need a systematic conceptual framework for addressing this deficit. Some key questions to ask ahead of time are:

> What information do I want to communicate?

> What information do I need to receive?

> With whom do I need to share information?

> When do they need it? When do I need my information?

And while agencies are increasingly complex, diverse, and in flux, in turn making the answers to these questions difficult and sometimes changing, government must strive to develop a systematic approach to obtaining answers for key types of events ahead of an emergency incident.

No single agency can be knowledgeable enough to effectively analyze the

information needs of other organizations, or alone be capable of serving as a clearinghouse for all information protocols. Planning must be collaborative in order to incorporate detailed local knowledge into the planning and information flow modeling process. In short, it is vital that all stakeholders work together, not simply depend on one group or organization to make all the information decisions for everyone top down.

To do the necessary communications planning, government needs more than just the systems currently used to communicate during an actual event (radio, fax, email, phones and web portals). Emergency management software used for situational awareness during an event is not designed as a planning tool for defining information flows. Notification management systems enable managers to simultaneously create notification scripts and blast out thousands of emails, faxes, voice and text messages to predefined groups, but they are not designed to plan and manage both incoming and outgoing communication processes, regardless of the medium used. In short, current system are primarily "one way" - they deliver a message. To truly communicate, they must be "two way;" able to receive information as well.

In a 2006 project for the U.S. Department of Homeland Security my firm found gaps, bottlenecks, and delays in the flow of information and opportunities for improvement. We also found that:

> Planners lack an analytical toolkit for inter-agency information sharing needs analysis that crosses disciplines such as public health, transportation and intelligence.

> Verbal inputs to planning are often undocumented and/or embodied in static document formats.

> There is no system for prioritizing the allocation of funding to communications technology projects based on the risk reduction that systems are intended to provide.

States and major cities like NYC have constructed Emergency Operations and Intelligence Fusion Centers for the purpose of assessing the "big picture." Regional command centers are increasingly networked. Now they need an efficient means of developing and maintaining up-to-date protocols and maps of how information should

flow in an accurate and timely manner, not just to them but also to regional partners and to the private sector.

Information Flow Modeling

To achieve the highest level of preparedness, agencies need a system for analyzing information sharing needs and advanced planning for critical incident communication. This analysis must accurately pinpoint problems so they can be solved, and help managers and oversight ensure that the corrective action was actually implemented, and works. Having a systematic methodology and conceptual framework is key.

Current response, incident management, and critical infrastructure protection plans emphasize the importance of communication and information sharing. However, they do not provide a focused analytical framework for:

- Evaluating communication protocols
- Determining information sharing needs, or
- Assessing the flow of information between jurisdictions, levels of government, disciplines, and sectors.

This knowledge is vital to ensure that scarce communication resources are targeted where needed, but not wasted on projects that don't, ultimately, affect our ability to communicate.

Government needs to implement a structured process for analyzing how information should flow and for developing communication plans and protocols. The process must provide a systematic framework for analyzing the need for communication, the availability of needed information, and any restrictions on its dissemination. This will enable agencies to better manage the risk of gaps and bottlenecks that might prevent the right information from reaching the right people at the right time.

Implementing an effective information flow modeling process is a key to achieving a wide range of planning, operations and management objectives. It will provide an opportunity to make the flow of critical information within and across organizations

faster and more resilient -- less likely to break down due to any technical issue, human factor, or other reason. The enhanced understanding of information flow will improve organizational intelligence and operational efficiency. This serves as the foundation of better directed, more timely and reliable operational information flow needed for effective coordination and policy compliance.

Conclusion

The most critical aspect of any disaster response, after the people involved in it, is communication. While an enormous amount of resources have been invested in building a communications capability, almost none ahs actually been invested in determining what is actually needed, and whether what *is* purchased actually helps.

Making crisis communication work starts with deciding what is the problem and the goals to be achieved, then analyzing the sources of information and indicating those who need this information in order to perform tasks and make decisions. The success of any effort to improve communication and information flow requires a systematic approach to analyzing information sharing needs, which can be greatly facilitated through collaborative information flow modeling. NYC should map the flow of communication for the key emergency scenarios it plans for, and that map must include private sector and regional partners. Committees with oversight should receive reports, hopefully with a declining number of communication issues, that are being addressed with a timetable and budget prioritized based on the risk the communication issues pose to operational capability.

With this critical information in hand, it is then possible for you, the managers and directors of these resources, to make informed, effective and ultimately the *best* decisions as to where to invest your resources, thereby saving the most lives and helping everyone to make the best decisions.

I am happy to answer any questions you may have.

DAVID G. KAMIEN – Founder & CEO – Mind–Alliance Systems, LLC

As founder and CEO of Mind–Alliance Systems, David Kamien is responsible for driving the vision for the company and overseeing the delivery of communication planning solutions for homeland security, business continuity and intelligence. Kamien brings to Mind–Alliance a strong management consulting and Information & Communication Technology (ICT) business development background, having worked with companies such as Motorola, Raytheon, Northrop Grumman and Marsh & McLennan.

Kamien spearheaded the development of the Mind–Alliance Information Sharing Needs Analysis (ISNA) Methodology, piloted for the U.S. Dept. of Homeland Security. During his career, Kamien has developed ICT technology policy and business strategy for government agencies, telecommunications companies such as British Telecom, and start–up technology firms. Kamien has co–invented several patents.

Born in New York, Kamien returned to the U.S. in August 2001 after living in Israel for 21 years. In Israel, he served as a officer in the Israel Defense Forces. Kamien, who holds a B.A. from The Hebrew University of Jerusalem and a Law Degree from Israel's Academic College of Law, is the Editor of The McGraw–Hill Homeland Security Handbook .

Senator Martin Connor
25th District

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Testimony of State Senator Connor

Before

The New York City Council Committee on Lower Manhattan Redevelopment

September 19, 2007

Good afternoon Mr. Chair and members of the Committee. I want to first thank you for holding this hearing regarding community notification in emergency situations. The August 18th fire at Deutsche Bank, 130 Liberty Street, was a tragic occurrence and one that could have been avoided with proper communication, planning and notification. I understand that currently the Mayor's office is researching new technologies that will improve upon our ability to convey vital information to residents in communities that find themselves in emergency situations.

The implementation of these new technologies must be a top priority for the Mayor's office and the Lower Manhattan Development Corporation (LMDC). Of the three mentioned by Deputy Mayor Skyler on September 5th, the most effective, easily, and least expensive to put in place, would be the robo-calls and email system. The automated calls can be placed to thousands of homes, cell phones, and offices. The use of such automated calls has been used in elections for many years now. This technology is already available and easily adaptable to the City's needs for emergency notification purposes. Further, emails can be sent city-wide and to any number of Lower Manhattan list serves by the Office of Emergency Management. These list serves are already in place and, simply enough, need only be consolidated. The Lower Manhattan Construction Command Center, the Alliance for Downtown New York, the 1st Precinct Community Council, Community Board 1 Manhattan all have various group emails that can be implemented into a comprehensive email list that can effectively notify residents and workers immediately should an incident occur.

While new and innovative technologies will go along way to improving the ability to convey accurate information in real-time, I believe, that relying solely on technology in these situations will not only be foolish but dangerous to the health and safety of thousands of residents and workers. During an emergency situation any number of factors can affect technology and render them useless. In order to protect the Lower Manhattan Community an alternative method of conveying real-time information must be

incorporated into the City's and the LMDC's Emergency Action Plans. Recently, on September 5, 2007, Deputy Mayor Skyler mentioned the use of Variable Message Signs (VMS) that could be used to disseminate information to the public regarding emergencies in the area. These signs can be scaled down and installed across the City in large public areas that will be seen by pedestrians. These signs would be activated in emergencies and can also be outfitted with a loud speaker system that would convey the same information the automated calls would deliver.

Again, relying solely on technology would be dangerous. On August 18th, the Tribeca Community Emergency Response Team (CERT) responded to the fire along with first responders. This team of trained people responded to the emergency and made themselves available to first responders. Unfortunately, the police and fire officials at the scene did not recognize the members of the Battery Park CERT and thus were not coordinated to help the first responders. As Deputy Mayor Sklyer pointed out in the September 5th Community Board 1 meeting, the City needs to better coordinate CERT with first responders in order to share information. CERT's are intimately familiar with their community and could be affectively used by first responders to cordon off areas as well as go door to door to either notify those who may not have received any of the emergency messages, or are unable to leave under their own power such, as the elderly or disabled.

Whether low-tech or high-tech, communication during emergency situations is vital. Information needs to be disseminated in real-time and must be accurate. CERTs need to be coordinated by first responders on the scene in order to augment the emergency notification systems that will be put in place. We cannot find ourselves in a situation where people in and around emergency or crisis situations do not have accurate information, and are not provided with a clear picture of what action to take to protect themselves and their families. Plans drawn up for just this situation were not followed and a tragedy occurred. Once the correct steps are taken and emergency action plans are followed we will have a system where CERT teams are better coordinated by and for first responders, automated phone calls, emails, and eventually reverse 9-11 alert the community, tragedies like August 18th can be avoid.

THE ASSEMBLY

STATE OF NEW YORK

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DEBORAH J. GLICK
Assemblymember 66TH District
New York County

CHAIR
Social Services Committee

COMMITTEES
Children and Families
Environmental Conservation
Higher Education
Ways & Means

Testimony of Assemblymember Deborah J. Glick
Before the New York City Council's Committees on Lower Manhattan Redevelopment and Technology in Government
Regarding Community Notification of Catastrophic Incidents- Lessons Learned from the Deutsche Bank Fire and other Recent Incidents

September 19th, 2007

As the Assemblymember who represents Tribeca and parts of Lower Manhattan near the World Trade Center, I have shared the community's growing sense of mistrust and disquietude regarding commitments of health, safety and air quality made by various governmental agencies in the wake of September 11th. The community has borne an overwhelming amount of tragedy over these past 6 years, and this has been severely compounded by the paucity of accurate or truthful information provided by the very agencies charged with protecting it. Consequently, the workers and residents of Lower Manhattan now understandably approach governmental claims of health and safety in their neighborhoods with significant skepticism. This latest, preventable disaster at the Deutsche Bank site is not only a tragic loss of life, but also further compromises the community's sense of safety and trust.

Moving forward, the entities responsible for the negligence that led to this tragic event, and for the ensuing lack of public information, must recommit to developing and implementing a comprehensive notification and emergency action plan that helps to mend their strained and troubled relationship with the community. Contemporaneously, this effort to devise a community notification plan for the Deutsche Bank site must be mirrored at sensitive locations throughout the city. Particular to my district, I have serious concerns about the mass storage of diesel fuel at "telecom" hotels such as 60 Hudson, and about the area surrounding the Holland Tunnel. It is imperative that comprehensive notification plans are devised not only in light of potential security threats, and the vast array of possibly hazardous construction and demolition projects, but also with consideration for our city's aging infrastructure. Both this summer's steam pipe explosion and major storm, which crippled our transportation system, were further complicated by the City's inability to adequately notify the public.

The City has conceded that, while it is equipped to handle citywide or borough-wide notification, many specific challenges are inherent in the development of more localized emergency response plans. In view of the Deutsche Bank fire, I am glad that both the City's Office of Emergency Management (OEM) and the Lower Manhattan Development Corporation (LMDC) have committed to exploring emerging technologies, such as cell phone broadcasting or robo calls, in developing a localized notification and action plan for Lower Manhattan. In doing so, we must also account for the needs and habits of all residents and workers, many of whom do not utilize or do not have access to these technologies. Furthermore, as was so starkly evident on September

11th, the City must keep in mind that such technologies often become impaired, if not completely non-functional, during catastrophic emergencies.

Therefore, in addition to exploring high-tech methods, there must be a serious effort on the City's part to implement lower tech, localized methods of communication. These could include the use of a local radio station's airwaves, appointment of building captains to notify and mobilize building residents and workers, many of whom may be disabled or have special circumstances, and rudimentary signage and sirens to transmit evacuation or sheltering instructions. Certainly any costs associated with the implementation and testing of sirens, or other more basic forms of notification, would be more than made up for in the provision of increased safety and piece of mind for the community.

Lastly, a door-to-door system could be utilized for both localized notification and evacuation, implemented by the City in conjunction with community partners. In preparation for such a plan, I would urge the City to ensure that the most up to date building records are provided to all relevant agencies. Following 9/11, antiquated building records left many residents without information for days, the result of the City's mistaken belief that these buildings were commercial and not residential. It is all the more critical as we see an enormous number of formerly commercial buildings being converted to residential use.

Most crucially, any notification plans must be fully vetted in an iterative process between the community and all relevant government agencies. Plans must also be tested prior to the commencement or continuation of any deconstruction work in Lower Manhattan. Further, although these plans must draw from the expertise and knowledge of a vast array of agencies, I would urge that responsibility for their implementation be streamlined in order to encourage transparency and accountability for this community that has so unjustly and so often been denied both. On a wider scale, hopefully this tragic event will trigger a thorough review of the currently inadequate means of community notification throughout the City, and new technologies will be coupled with lower tech modes of communication, ensuring the fastest and most complete dissemination of information for the protection of all New Yorkers.

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TESTIMONY OF U.S. REPRESENTATIVE JERROLD NADLER (D-NY 08)

Before the New York City Council
Committee on Lower Manhattan Redevelopment and Technology in Government

Oversight – Community Notification of Catastrophic Incidents – Lessons Learned from the Deutsche Bank Fire and other Recent Incidents

September 19, 2007

Good morning. I would like to take this opportunity to thank the Chairman of the Committee on Lower Manhattan Redevelopment Alan Gerson and the Chairwoman of the Committee on Technology in Government Gale Brewer for convening this hearing and inviting me to testify before you today. I would also like to extend my thanks to the other members of these committees who are here with us today.

As the Member of Congress representing Lower Manhattan, I have spent the better part of these last six years attempting to persuade the city, state and federal government to act responsibly in the aftermath of the 9/11 terrorist attacks. I have repeatedly expressed my concerns to the relevant agencies regarding the presence of post-9/11 contamination and its lingering threat to Lower Manhattan. Further, I continue to work with the community and other elected officials as an advocate for Lower Manhattan to ensure the safe and swift demolition of contaminated buildings such as the Deutsche bank building located at 130 Liberty Street.

Immediately following the tragic events that occurred on September 11, 2001, it was strikingly apparent that the city's community notification system was flawed. Six years later, subsequent to the fire at the former Deutsche Bank building which killed two firefighters, the substandard nature of this system was evident. A stark example of this is that residents at 125 Cedar Street were not evacuated on August 18, 2007 nor were they notified of the eminent dangers. And this building is arguably the closest residential building to the Deutsche Bank building. Emails and other mass systems of notification were not employed and the members of the Lower Manhattan Community Emergency Response Team (CERT) were not activated by the Office of Emergency Management (OEM), they were instead self-activated. This response is wholly unacceptable considering the indisputable evidence pertaining to the presence of post-9/11 contamination at the once 40-story building.

The Emergency Action Plan (EAP) for the 130 Liberty Street Deconstruction Project was approved September 7, 2005 and included specifics on the Community Notification Plan in Appendix F. This plan outlines the roles and responsibilities of the Contractor Emergency Coordinator, Lower Manhattan Development Corporation (LMDC), First Responder Agencies and Regulatory Agencies. From the outset of the 130 Liberty Street Deconstruction it was evident that this type of project had never occurred in New York City and that coordination among numerous agencies would be key.

In this same document, Section 4 of Appendix F delineates notification mechanisms during two types of emergency events. The first type of event is one in which First Responders assume full control resulting in all communication notifications to be coordinated through the Incident Command to ensure accurate information is released. The second type of situation occurs when LMDC retains full control of the emergency incident. Under this scenario LMDC will notify and disseminate all available information to the surrounding community.

At the time of the EAP's approval, it was stated that LMDC was investigating the use of mass notification systems which would allow LMDC to send emergency messages to community members simultaneously through phone, pager, and email. As of August 18, 2007, LMDC was only implementing "E-Updates" which provided information regarding meeting notices and project updates. The first "E-Update" following the fire was received by my office at 12:45 Monday, August 20, 2007.

In a press release from my office dated April 4, 2006, I called on the OEM and LMDC to work together to develop a more detailed community notification and response plan, one that takes into consideration the special circumstances and sensitivities of the surrounding neighborhood. This release was issued shortly after a worker fell 40 feet and suffered significant injuries, including a fractured spine. The decontamination and deconstruction of the former Deutsche Bank building has been plagued with missteps that have resulted in countless injury and the loss of two members of the FDNY. We must demand better from our government agencies.

In response to a March 6, 2007 letter from my office, Lower Manhattan Construction Command Center (LMCCC) reinstated the 130 Liberty Street Task Force on March 28, 2007. While only three meetings were held before the August 18th fire, the community persistently spoke about their concerns of activating an effective community notification system during an emergency. Since September 2005 the community repeatedly called on the LMDC and LMCCC to implement a system of mass notification. However, suggestions of reverse 911, sirens, phone tress, two way radios and broadcast radio notification were never implemented.

Regardless of the complexities of building deconstruction and the various government agencies and offices involved, it is necessary to provide individuals with accurate information in a timely manner. It is becoming increasingly evident that the city, state and federal government's response immediately following the terrorist attacks on September 11, 2001 resulted in countless individuals being unnecessarily exposed to a toxic cocktail of 9/11 contamination. It is imperative that we recognize this because those who cannot remember the past are condemned to repeat it.

I will continue to work with the community and the various government agencies to ensure that the remaining 26 floors of the Deutsche Bank building are brought down in adherence with all health and safety regulations. Further, I will continue to advocate for a fully functional community notification system to be implemented immediately.

As a first step, I was pleased to learn that LMDC provided OEM their email list so that it can be used to notify individuals in the event of an emergency downtown. Additionally, I fully support the Resolution passed by Community Board 1 last evening, which specifically calls for the creation of an Emergency Notification and Evacuation Plan. I look forward to additional steps being put into place to ensure that individuals are notified in the event of an emergency and that we learn from the mistakes of our past.

Thank you for this opportunity to testify today and I look forward to hearing from my colleagues in government as well as the Lower Manhattan community.

Testimony by Edward Skyler, Deputy Mayor for Administration
City Council Committee on Lower Manhattan Redevelopment and
Committee on Technology
Community Notification of Catastrophic Incident—Lessons Learned from the
Deutsche Bank Fire and Other Recent Incidents
(September 19, 2007)

- Good morning Chairman Gerson and Chairwoman Brewer, on behalf of
  Mayor Bloomberg I would like to thank you for inviting me to update you
  on the City's response and community notification efforts following the
  tragic fire at 130 Liberty Street on August 18th. I am joined by OEM Deputy
  Commissioners Brad Gair and Henry Jackson, DoITT's First Deputy
  Commissioner Ron Bergmann, and Community Assistance Deputy
  Commissioner Jarrod Bernstein. I would also like to thank Speaker Quinn
  for joining this important hearing. I know from my conversations with her
  and her staff how important this issue is to the Speaker.

- **City Response.** I'd like to begin with an update on our response to the fire at
  130 Liberty Street. Over the last month, a team of City agencies coordinated
  by the Office of Emergency Management, including the Fire Department,
  Police Department, Department of Environmental Protection and
  Department of Buildings, has worked with LMDC and representatives of the
  State and Federal government to make sure the building is safe for
  firefighters and that it does not pose safety or environmental hazards to those
  in the vicinity.

- Throughout this process, we have prioritized assessing environmental
  conditions inside and around the building, including conducting extensive
  air testing and making the results of those tests publicly available as soon as
  possible.

- To date, extensive air testing has yielded over 1,600 samples which were
  negative for asbestos. More than 700 additional samples for metals, organics
  and silica have remained below EPA trigger levels for the site. Air sample
  results for metals collected since the August 18th fire have been back to
  normal levels, and we continue to take samples regularly at the site.

- Another top priority was conducting repair work necessary so several streets
  in the vicinity of the building could be re-opened. Workers conducted repair

work on the scaffolding, cleared broken glass, and made other necessary repairs and protocol modifications to help us control access inside and outside of the building, and to improve site safety and security.

- This permitted us to re-open surrounding streets before the Labor Day holiday.

- But our ultimate goal is to resume decontamination and demolition of 130 Liberty Street so that we can bring the rest of the building down—safely and quickly. Clearly, the fire revealed the need for additional fire- and site-safety measures.

- Working with out State and Federal partners, we have implemented a number of interim fire-safety measures, including:

  o A working stand-pipe
  o removal of stairwell obstacles;
  o unimpeded access to the first floor stairwells;
  o and removal of flammable and hazardous materials.

- The City's Fire, Buildings, and Environmental Protection Departments assessed operations at the site and developed a set of requirements that must be in place to ensure the safety of the workers, first responders and the surrounding community when decontamination and deconstruction begin again.

- These requirements have been shared with the LMDC, and last week, we met together with the EPA to discuss the City's requirements to ensure that decontamination and deconstruction can resume safely, including resealing the building.

- **Emergency Public Communications.** The fire at 130 Liberty Street also highlighted the importance of effective public communication and a focus of this hearing is the City's capacity to communicate with the public during an emergency or other significant event.

- When Mayor Bloomberg came into office in 2002, the recent impact of the 9/11 attacks led us to re-examine and enhance the City's ability to

communicate with the public during emergencies. As the Mayor's Press Secretary at the time, it was a project I took very seriously.

- To be effective, we determined that any public information system must:
  - o be able to quickly deliver a message that is accurate, relevant and timely;
  - o and the message must be consistent across government so that people do not receive conflicting or inaccurate information.

- To that end, over the past few years the City has built a number of public communication systems that meet those standards:

  - o 311, www.nyc.gov and the City-owned TV stations have all been used to effectively communicate with the public during past emergencies including 2003 citywide blackout, the transit strike in December of 2005 and several terrorism alerts.

  - o We have also enhanced our ability to transmit directly to the public by developing a number of Emergency Television and Radio Sites (ETVRS) across the City where the Mayor and other senior administration officials – such as the Commissioners for Police, Fire and Emergency Management – can hold public briefings with little or no notice.

  - o These facilities are connected by fiber to video switching facilities, which allow members of the media to access and broadcast our feeds – even when circumstances prevent them from getting reporters or satellite trucks to our location. This technology enabled us to feed a broadcast from the Mayor to media outlets immediately after the murder of James Davis at City Hall in July 2003. And we've used it in other cases to get a message out quickly—for example, before and during the 2005 transit strike—before other media outlets arrived.

  - o And through the signing of an MOU with the New York State Broadcasters Association, we have established a local Emergency Alert System (EAS), which allows the Mayor (or his designee) to broadcast a short audio message over radio and TV stations, and cable systems. EAS was not operational in the City on 9/11, but since September of 2004 we have developed and maintained strong, voluntary partnerships with local broadcasters and media

organizations to ensure that EAS is available for large-scale emergencies that could require a Citywide evacuation.

- Since 2006, we have been assessing the feasibility of technologies that deliver communications to more targeted populations and neighborhoods, that would supplement the Citywide capabilities that I just described.

- The technologies we're looking at include email alerts, reverse-911 (also known as auto-dialing), and text messaging--including SMS and cell broadcasting, each of which allows for the delivery of geo-targeted communications in multiple languages. In assessing what can work, we've concluded that the best solution is not picking a single technology, but implementing multiple technologies that give us many different tools to inform different communities about different kinds of events.

- We have learned that many integrated public alerting systems are ineffective for a number of reasons, most of which relate in one way or another to the capacity of wired and wireless networks to push-out a high volume of information quickly. Capacity issues can result in garbled or untimely messages and the net result is that people get the wrong information—or no useful information at all.

- For example, one city has an integrated public alert system, which a lot of people have heard about. But what they may not know is that during a snow storm in 2005, city officials used that system to send out information to local residents. The email was released quickly and efficiently. But the text message came in many parts, mostly out of order. And the final page of that "text message" didn't arrive until the next day.

- Our tests have exposed similar shortcomings in comparable systems around the country. And our research has revealed that many other large cities – Boston, Chicago, Miami and San Francisco, to name a few – are at a similar stage in their development processes or have very limited systems in place today.

- Informed by these experiences, the City has considered four kinds of targeted public notification systems:

1. **Email-based Emergency Communications.** A free, opt-in email service would allow people to sign up for notifications about the communities where they live and work. This format would let us bring detailed information directly to personal and work email accounts. It could be used to send video clips of press briefings or attachments, such as maps.

   We have designed a pilot program for Lower Manhattan based on this technology that will be run by the Office of Emergency Management (OEM), in partnership with the Lower Manhattan Development Corporation (LMDC). OEM is establishing internal protocols to provide community notifications via the www.lowermanhattan.info listserv for certain kinds of events that occur at 130 Liberty Street, 130 Cedar Street, Fiterman Hall and the World Trade Center site.

   When a qualifying incident occurs, an officer in OEM's Watch Command will draft a message and disseminate it to members of the listserv via email, and the message will also be posted on the www.lowermanhattan.info homepage. And 311 and 911 will receive an automatic copy to make sure that the information callers receive is consistent with the email and website notifications.

2. **Text Messaging.** The second technology we are actively considering is text messaging, including SMS, txt, and cell broadcast. This technology would most likely be used to send short messages directing people to local media sources for more detailed information about an emergency or other significant event.

   The City is designing a pilot program for SMS/txt messaging to cell phones, blackberries and other personal, digital assistants (PDAs). These alerts, which will be limited to about 60 characters, will provide basic details about specific events and encourage people to check websites and tune to local media for more information. We are still working out the details, scope and focus of the pilot and we will provide further details when we have them.

   I should note that cell broadcasting is another text-messaging technology that could be useful—it's different from other types of text messaging because it does not cause network congestion, can be used for geo-targeted alerting and messages can be delivered in multiple

languages. But it is not possible for us to use cell broadcasting today because the wireless carriers have resisted investing resources in this emerging technology. However our telecommunications experts are staying on top of every development in this area.

3. **Internet.** A third public communications technology is internet based. An interactive website would offer real-time updates on major incidents occurring throughout the City. This type of system could help people find specific information for events they see in their neighborhoods or learn about through the media. It is a highly accessible resource – many people now have internet at home, at work and on hand-held devices. It is also a service that we can offer in multiple languages. We are still studying what it would take to get this kind of service off the ground and the scope of events and public information it would cover.

4. **Reverse-911.** And finally, we're looking at the feasibility of Reverse 911 technology. Auto-dialing often places a huge strain on both wired and wireless networks and that can be a particularly acute problem in a city as big as New York. We continue to work with both Verizon and the City's wireless carriers to find a solution – or perhaps a dedicated conduit for emergency information – that would allow us to test this resource and guarantee a timely delivery of voice messages to both landlines and cell phones. While we have no current plans to deploy this technology, we'll keep the Committee updated on our findings and plans.

- Once the Internet and Text Messaging pilots I described above are operational, we will notify members of the pilot communities about these new services by sending advisories to listservs and encouraging community, tenant and merchant associations to share this information with their members. And from there, we'll be able to evaluate how these targeted technologies work, and how best to use them.

- Strengthening and enhancing emergency public communications in every community – which begins with these pilots – will be both a practical solution for community concerns after the fire at 130 Liberty Street *and* a good opportunity for the City to pilot integrated public alert and notification systems – systems that could be used Citywide in the future to offer highly customized information about City services and emergencies.

- Mayor Bloomberg believes that New Yorkers deserve the best possible service their government can offer, and I assure you that our initiatives will build on the success of prior accomplishments in this area. I look forward to discussing our progress in coming months.

- Thank you, and I am happy to answer any questions that you have.

**Testimony of Manhattan Borough President Scott M. Stringer
Before the New York City Council
Committee on Lower Manhattan Redevelopment Jointly With
The Committee on Technology and Government**

September 19, 2007

Good afternoon, I would like to begin by thanking Chairpersons Alan Gerson and Gale Brewer for the opportunity to testify on the pressing need for greater community notification during catastrophic events, both in Lower Manhattan and throughout New York City.

New Yorkers have more reason than most Americans to be concerned about emergency preparedness. During the last two months, our city has faced a tragic fire in a highly contaminated building, a system-wide transit shutdown, a tornado which ripped apart buildings, and the collapse of a retaining wall at Park West Village. Since taking office, little has affected me as much as the visceral reactions of downtown residents who were once again struck with a disaster and did not know where to turn for information.

We must commit to improving our city's infrastructure to prevent these disasters and strengthen reactive measures to mitigate risk when the emergencies do occur. Few expected so many new residents to flock to a renewed Lower Manhattan in the six short years since the World Trade Center attacks. The resurgence of this community lifted the entire city's spirit, but many of these residents still do not feel safe.

Residents understand that extraordinary events may cause disruptions, but in the aftermath of the storm that shut down the subways and the fire at the Deutsche Bank building, we cannot accept a failure to communicate. Ironically, this failure occurs at a time when our residents are so highly connected by high-speed communication devices.

I applaud the Office of Emergency Management (OEM) for embracing the internet, emails, text messaging, reverse 911, and cell broadcasting to respond to emergencies. In fact, on the morning of the terrorist attacks in 2001, many Americans used wireless communications to reach out to loved ones because these systems functioned when the surrounding infrastructure was damaged. We should certainly exploit these devices to deliver information by voice, data, and video. However, we must do so with a full understanding that technological innovations alone will not solve the emergency communications dilemma.

In fact, no single approach to emergency communications is a silver bullet. We need a system which is fast, comprehensive, integrated and, above all, effective. This means that the system must function during an emergency - when an event is unanticipated, where electricity is unavailable, the duration of the crisis unknown, cyber threats may exist, and air and public transportation are hindered. An over-reliance on the technological connectivity we've grown accustomed to may leave residents physically isolated.

While part of the immediate challenge rests in finding the best technological solutions, other key factors include judgment, responsibility, and fear of potential consequences. The City's adoption of the Citywide Incident Management System (CIMS) on May 14, 2004 to respond to and aid recovery from emergencies is a step in the right direction. I also believe that the Community Emergency Response Teams (CERT) are an invaluable asset to our city. These programs, however, are not being utilized to their full potential. A CERT leader recently told me that her team has long awaited training and that emergency respondents from City agencies are sometimes unfamiliar with her team's role or function. I call upon the City to ensure that these preexisting programs are developed and used. I ask OEM to ensure that CIMS is fully implemented and tailored to the varied needs and resources of our great city, and I call upon the City to properly train the CERT teams and to make sure they are a recognized emergency response resource.

Considering that in just the last two months so many extraordinary emergencies have stricken our city, residents cannot wait any longer for an effective emergency notification system. I call upon Deputy Mayor Skyler to provide the public with the City's plan and timeframe for the implementation of its proposed communication alert system. I also ask that the public be informed and heard every step of the way.

The need for an improved emergency communication system is evident. This is not a technological issue. It is not an infrastructure issue. It is not even a post 9/11 issue. It is a leadership issue – leadership that must span across agencies and communication mediums to ensure that all residents can and will be reached. I stand ready to assist the Mayor, Deputy Mayor Skyler, OEM, and all local stakeholders to realize this goal.

Thank you again for the opportunity to testify on this crucial issue.

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TESTIMONY OF ROB SPENCER, STAFF REPRESENTATIVE
ORGANIZATION OF STAFF ANALYSTS

**Before the Committees on Lower Manhattan Redevelopment
and Technology in Government of the New York City Council**

**Hearing on Community Notification of Catastrophic Incidents
September 19, 2007, City Hall**

I'm Rob Spencer, a staff representative for the Organization of Staff Analysts, a union representing nearly 5,000 employees of the City of New York, hundreds of them in the area immediately surrounding the World Trade Center site. I want to thank Speaker Quinn and Councilmembers Gerson and Brewer for convening this hearing on community notification of catastrophic incidents.

I sit on the Community Advisory Committee for the demolition of Fiterman Hall, a building owned by the City University of New York, which was massively contaminated on 9/11 and which is currently in the early stages of decontamination and demolition. And, I'm part of the World Trade Center Community-Labor Coalition, a broad network of tenant, environmental and labor organizations and activists which has been fighting for many years for the safe demolition of 9/11-impacted buildings, the testing and proper cleanup of interior spaces downtown, and for meeting the health needs of those adversely affected by the events of 9/11.

The fire at the Deutsche Bank building on August 18th was indeed a catastrophic event. However, it was not an *unforeseeable* catastrophic event. The level of contaminants in the building was well-established; the need for an effective contingency plan for a variety of emergencies was repeatedly stated by the community. Many of us have raised in other venues our views of the failures of the various agencies charged with the proper and safe removal of this toxic eyesore.

Over the past three years, a signal unmet need has been a robust and redundant emergency community notification plan for each of the incredibly contaminated sites that remain from 9/11, including Deutsche Bank and Fiterman Hall. And by a redundant plan, I don't mean superfluous, I mean having multiple layers and components that can continue to work in the event of the failure of one or more aspects of the plan.

We have long argued that a range of existing communications technologies can and should be implemented for community notification, including reverse 911 systems, text messaging, blast faxes, and the rapid or real-time updating of relevant websites, to name a few examples.

We have argued for lower tech notification methods as well, since individuals may or may not

have access to high technology but, with proper preparation and training, likely would hear a siren or some local signal to turn on a portable battery-powered radio to listen to an emergency message.

We have argued for a pre-existing phone tree for businesses, residences, and offices within several blocks of these sites, to be used to quickly alert people with emergency messages, especially those who may, as emergency coordinators for their buildings, be responsible for quickly disseminating a message to others.

And, we have argued for pre-arranged emergency plans which accommodate various potential emergency scenarios at these buildings -- whether structural failure, fire, or large or small release of toxic materials, to name just a few of the possible hazards we have raised repeatedly. These scenarios should include mechanisms for quickly disseminating messages but, even more important, should indicate what the proper message would be in a given scenario.

And we have argued, again and again, that an effective community notification plan and strategy can only be developed with the integral input of members of the affected community.

When we have made these arguments in Community Board meetings or in Community Advisory Board meetings, we have been met with the assurance that the City's Office of Emergency Management or one of the first responder agencies will arrive on site, set up an incident command, and then disseminate information through traditional channels, including televised Mayoral press conference and 311, for example.

Unfortunately, as was shown on August 18th, that notification will likely come too little and too late to be of practical use to those who must make rapid informed decisions about whether to evacuate, shelter in place or stand by for more information.

Since the Deutsche Bank fire occurred on a weekend, thousands of office workers who would normally have been in nearby buildings were, for the most part, not at work. However, local residents were presented with little or no information, official or otherwise -- in some cases for hours. There was no phone call to say shelter in place, don't evacuate, which was evidently the decision of incident commanders. There was no siren to warn residents to tune in to a local emergency message on their portable radio or to log onto an emergency internet site. There was no message to remain indoors and shut windows. There were no comprehensive door-to-door notifications. Community Emergency Response Teams, made up of local volunteers, were not activated by OEM or any other agency. When one of the CERT teams self-activated, members found they were not known to emergency responders and their ability to assist or even to know their mission was severely circumscribed.

At the September 5th emergency meeting of CB1, Deputy Mayor Ed Skyler mentioned a range of technologies that the City is exploring for the effective notification of communities in the event of future catastrophic incidents. The Deputy Mayor spent the largest portion of his time discussing high technology solutions, including cell broadcast technologies, reverse 911, text messaging, and interactive multilingual websites.

These technologies offer promise and we are encouraged by the City's pledge to finally put together a comprehensive plan utilizing them. However, we may be forgiven if we are a bit cynical, since the September 7, 2005 Emergency Community Notification Plan for the Deutsche Bank Building announced that LMDC was in the process of developing a "mass notification system" which would "allow LMDC to send an emergency message to community members simultaneously through phone, pager and email within minutes of placing the initial call or message." That system was, to my knowledge, never implemented.

The Deputy Mayor's presentation made it clear that most of the technologies under consideration were a considerable ways from implementation. In fact, the only idea that would be immediately implemented was the use of OEM's command email system to notify those community residents and stakeholders who had opted into existing LMDC or LMCCC email alerts. OEM must outline how such a system, had it been in place in August, would have resulted in speedier, more accurate notification. We also need to know that even this modest step will be implemented and tested prior to any resumption of work at 130 Liberty Street. And, we need to know that massive outreach efforts will take place to encourage downtown residents and workers to sign up for these alerts.

Two final points. We have been repeatedly told by OEM that implementation of new techniques or technologies at these downtown sites will be seen as pilots for similar notification efforts citywide. The daunting size and scope of such citywide planning and installation would seem to have a chilling effect on speedy implementation in these specific and urgent circumstances. While we share the goal of reproducible community emergency planning and notification across the City, the hazards in these demolitions require special and immediate attention.

At the September 10th meeting of the Fiterman Hall Community Advisory Committee, OEM Commissioner Joseph Bruno stated that a local phone tree to residents, workers and businesses within a five block radius of that demolition site, which the Committee has been discussing for many months, would likely be left by OEM to the local CERT Team for implementation. That is not appropriate. The CERT teams are not first responders. CERT members may be able to assist OEM or responder agencies, but have no statutory authority or ability to substitute for them in an emergency plan.

In closing, I'd like to thank the Council again for convening this hearing and I look forward to working with you to ensure that effective community notification plans are implemented at all of the 9/11-contaminated sites.

Testimony of Paul Stein, Health & Safety Committee Chairperson

Division 199, NYS Public Employees Federation, AFL-CIO

Hearing: Oversight - Community Notification of Catastrophic

Incidents - Lessons Learned from the Deutsche Bank Fire and

Other Recent Incidents

New York City Council Committee on Lower Manhattan

Redevelopment, jointly with the Committee on Technology in

Government

September 19, 2007

Council Chambers

City Hall

New York, New York

My name is Paul Stein. I am the Health & Safety Committee Chairperson of Division 199 of the New York State Public Employees Federation, AFL-CIO, popularly known as PEF. I am also a member of the Fiterman Hall Community Advisory Committee. I speak today as a PEF officer on behalf of several hundred PEF members who work at 90 Church Street, directly adjacent to the World Trade Center site, across from Deutsche Bank and across from Fiterman Hall in the opposite direction.

As workers in Lower Manhattan, we are very concerned about the lack of a meaningful community notification plan for Deutsche Bank. Every day, through our office windows at 90 Church Street, my co-workers and I look directly at the contaminated, burned out, shrouded, partially demolished Deutsche Bank. Every day, we worry about what will happen if there is another fire or other incident that might put our health or lives at risk. How will we be quickly notified of an emergency and be told if it is necessary to evacuate our offices or shelter in place? Actually, based on past experience, we worry that we will not be notified of an emergency and will not be advised as to what we should do to protect ourselves. All of our concerns about Deutsche Bank apply to the contaminated and damaged City University building Fiterman Hall, which presents similar risks to the surrounding community.

In the 21st Century, there is a wealth of readily-available, proven technologies to notify people of emergency conditions. Reverse 911 telephone calls, text messaging, e-mail blasts, sirens, public address systems - all of these technologies can be integrated into a comprehensive plan to protect workers, residents, and students in the neighborhood surrounding Deutsche Bank and Fiterman Hall. There is no excuse for the failure of the public agencies and corporations responsible for the sites to implement such a plan.

We urge the New York City Council to do everything in its power, in cooperation with city, state, and federal agencies and the responsible corporations, to see to it that a comprehensive and effective emergency notification plan is promptly implemented both for Deutsche Bank and for Fiterman Hall.

Thank you.

September 19, 2007

To the Committee on Lower Manhattan Redevelopment and the Committee on Technology in Government:

As a mother of two children, I have lived and worked in Lower Manhattan for over 30 years. I am currently a member of the Fiterman Hall Community Advisory Committee.

Having participated in discussions of the Fiterman Hall Committee since January and in light of the recent Deutsche Bank building fire, I'd like to make the following observations.

In consecutive meetings of the Fiterman Hall committee, community residents have voiced their concerns about timely notification to the community in case of an emergency situation. In all cases, residents have recommended that the city government establish a communications system via email, phone and possibly cell phone text technology which would enable residents to be notified quickly of a local emergency. This is of particular importance when dealing with contaminated structures that can cause dangerous environmental hazards.

Response by officials to these requests have been woefully inadequate, stemming from the notion that the Mayor's office would be informed and make an announcement on local news programs to a suggestion by OEM that they utilize an existing email list of 3000+ names from LMDC. The discussion seems to be stalled or circular in nature.

While I appreciate the fact that costs are involved in producing a notification system, I feel it is imperative to do so. I believe using lower Manhattan as a template with its immediate needs (re: Deutsche Bank/Fiterman Hall) will benefit the city at large over the long run. The technology exists for establishing a system of notification. I site New Jersey Transit's travel alert system as well as most major airlines, which now text message passengers if a plane is delayed.

At the least I feel that
1. A website must be established where residents can go to determine if there is an emergency alert

2. An emergency list serve should be set up, which is specifically used to notify residents of an immediate emergency (not a general LMDC list serve which has not been gathered for this purpose). This list serve must be publicized so that residents can sign up for it.

3. Crucial phone numbers should be gathered for phone alert within a specific radius of any hazardous demolition. These numbers at the least should include schools, hospitals, large office buildings (which all have security detail) and residential complexes. (one or two numbers/establishment)

Thank you for your serious consideration of these concerns,

Jacqueline Ochs (jochs@humanarts.org / tel. 212-343-0078)

Testimony of public health advocate Jonathan Bennett

Before the City Council Committees on
Technology in Government
and on Lower Manhattan Development
Hearing on Community Notification of Catastrophes –
Lessons Learned

September 19, 2007

Thank you Chairpersons Gale Brewer and Alan Gerson and Councilmembers for giving me the opportunity to testify.

My name is Jonathan Bennett. I have devoted my professional life – including nine years on the staff of the New York Committee for Occupational Safety and Health and four years on the staff of the Public Advocate – to advocating and promoting improvements in public, occupational and environmental health and safety. I am a member of the board of directors of two organizations, 9/11 Environmental Action and Citizens Environmental Coalition. I am a rank-and-file member of the World Trade Center Community-Labor Coalition and I am co-producer of Health Action, a weekly radio program concerning public health, which is broadcast on WBAI.

Four years ago, 9/11 Environmental Action and many other organizations and individuals said:

> There are at least two huge buildings that must be demolished because they are
> so badly contaminated as a result of the collapse of the World Trade Center and
> the fires that burned on the World Trade Center site until early 2002.

> It is not physically possible for those buildings to be decontaminated and
> demolished in such a way that anyone can honestly guarantee that there cannot
> be an uncontrolled release of their 9/11-related contamination into the environment.

> Therefore, the authorities that are legally and morally obliged to protect the health
> of everyone who lives, works or goes to school in the vicinity must develop a
> system to protect all those people in the event of an uncontrolled release of
> 9/11-related contamination.

When we said that, we were told that we were being silly and irresponsible because (A) there was not going to be an uncontrolled release of 9/11-related contamination and (B) even if there was such an uncontrolled release, New York City has the world's finest fire department, police department and, most important, the world's finest Office of Emergency Management, and those three organizations would be able to protect everyone living, working and going to school in the vicinity from any such (impossible) uncontrolled release.

When we said we did not believe that, we were accused of denigrating the hard-working men and women in the fire and police departments and the Office of Emergency management.

We said we were not denigrating anyone, we were stating a simple and obvious fact. We were told to shut up.

On August 18 we learned which side of that debate was based on reality, and which side was willfully dwelling in fantasyland.

There was an uncontrolled release of contamination from the Deutsche Bank building, and no one could be protected from it, because no one in the city's emergency response operation had a plan for such protection.

I hope that the city has finally learned its lesson.

The city's first public safety priority in Lower Manhattan must be the immediate development and deployment of a tested emergency-notification and response system that protects everyone who lives, works and goes to school in Lower Manhattan from any uncontrolled release of toxic 9/11-related material.

I wish that I could leave the production of such a plan to the city's emergency response experts, but those experts have repeatedly failed us so miserably that I am now going to spell out for them the essential elements of such a plan, in hopes of averting yet another catastrophe.

An emergency notification system is a method for notifying everyone who might be a risk from a hazard.

An emergency response system is a method for protecting the life and limb of everyone who might be at risk.

The Office of Emergency Management has wasted far too much time and money studying untested and even fantastical emergency notification systems, while doggedly ignoring a tried-and-true system that is being utilized by hundreds of communities in the United States.

That system, which is at this very moment protecting millions of people from the possibility of death and injury caused by a tornado, has two elements: sirens and battery-operated radios.

In almost no time, a siren or several sirens can alert as many people as need be that an emergency is taking place. Sirens can give a signal with a single, unambiguous meaning: turn on your battery-operated radio, tune to a predesignated frequency and follow the radioed instructions.

There is no proven emergency-notification system that is simpler, quicker, and more fool-proof than sirens and radios. I will bet dollars to donuts that the Office of Emergency Management will not find a better system, no matter how much it spends on the search.

If there is an uncontrolled release of 9/11-related contamination, there are two options: evacuation or sheltering-in-place. The amount of contamination that can be released by any incident is finite. If

there was a system that would make it possible for everyone at risk to shelter-in-place until it was safe to go outdoors, there is no conceivable release of contamination in Lower Manhattan that would be of such long duration as to require evacuation.

To be protective, sheltering-in-place locations must have access to food, water and waste disposal systems to protect everyone in the shelter for as long as may be necessary. And everyone who might need to shelter in place must know in advance where to go in the event of an emergency and what to do when they get there.

This isn't rocket science.

Any place that can be closed off from outdoor air, and which has the potential to provide maximum anticipated sheltering population with adequate food, water and waste disposal could be used as a shelter. There is one other criteria, which is weather-related; with all the air intakes closed, the space needs to be able to maintain an interior temperature that is tolerably warm in winter or cool summer. Using that criteria, for a place to be considered to be a potential shelter, authorities would need to make certain that

- it can be closed off and kept closed off from the outdoor air and it has a heating and cooling system that is capable of maintaining a tolerable temperature with all air intakes shut

- it has access to enough running water and toilet facilities for its maximum population (I think it is reasonable to expect that the city's water and sewer system will not be compromised by an uncontrolled release of 9/11 contamination)

- it has space to shelter its maximum anticipated population and to store sufficient food to meet the population's needs.

Once spaces have been identified that can be safely utilized for sheltering-in-place, they must be supplied with everything that would be needed by its maximum anticipated population, which would, at the very minimum, consist of rations, batteries and perhaps bedding.

Every place that is designated as a shelter must have a system for closing windows and air intakes in the event of an emergency and some of the people that would be using the shelter must know in advance what must be done to close the windows and air intakes.

An emergency response system must be designed to protect Lower Manhattan's population at any time of day -- if an uncontrolled release of 9/11-related contamination occurs in the middle a a weekday, Lower Manhattan's workers and students will need to shelter in place in or near their workplaces and schools. If the release occurs at night or on a weekend, there will still be a need to shelter some workers and students, as well as Lower Manhattan's residential population.

The third essential element of any emergency notification and response system is public education. Everyone who lives, works or goes to school in Lower Manhattan must be informed that there is a risk of an uncontrolled release of 9/11-related contamination, they must know how authorities will warn them that such a release is taking place, and they must know what to do if they are in Lower Manhattan when the warning of a release is issued.

The city must stop stalling. It must immediately develop an emergency notification and response system, and a public education campaign to inform everyone who might be affected by an emergency in Lower Manhattan. I am confident that New York City can an will do those things as quickly as possible. I pray that my confidence is not misplaced.

Thank you for your time and attention. If you have any questions, I will be glad to try to respond to them.