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EPA to investigate air quality ruling following WTC disaster

At issue is whether Christine Todd Whitman was influenced by personal business interests when she declared the air was safe to breathe

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By **DIANA YATES** and **HEIDI SINGER**

The Environmental Protection Agency will investigate whether its highest official was influenced by personal business interests when she declared the air in lower Manhattan safe to breathe soon after the World Trade Center disaster.

The EPA Office of the Inspector General will try to determine whether EPA Administrator Christine Todd Whitman's statements that the air was safe constitute a conflict of interest, since she has considerable financial ties to the insurance industry, which compensates companies for absent workers.

The investigation was prompted by allegations from the EPA Ombudsman's office. Chief Investigator Hugh B. Kaufman maintains that Whitman acted improperly in not recusing herself from determinations about the possible health consequences of breathing the air in lower Manhattan after Sept. 11.

By declaring the air safe in the days and weeks after the terrorist attacks, he alleges, she significantly reduced insurance industry liability. She and her husband were in a position to benefit personally from such a limit on insurance company liability.

Mary Mears, a spokeswoman for Ms. Whitman, declined to comment.

The Justice Department has also become involved in the case, although it remains under the jurisdiction of the EPA. In a letter dated March 6, Noel L. Hillman, principal deputy chief of the public integrity section of the criminal division, asked Kaufman to turn over all of his information on the matter to EPA investigators. Kaufman also said he will be meeting with the FBI shortly.

"The Inspector General's Office is investigating conflict of interest allegations against Christine Todd Whitman, EPA Administrator," said EPA-IGO spokeswoman Eileen McMahon. No criminal referral has been made to the U.S. Department of Justice."

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Scientists for the Department of Energy declared last month that the air in lower Manhattan was worse than the air pollution in the burning Kuwait oilfields during the Gulf War.

Kaufman and EPA Ombudsman Robert Martin have been outspoken critics of the EPA and the Federal Emergency Management Agency (FEMA), the federal agencies that have a lead role in emergency response. They launched hearings into the EPA's allegedly "erroneous statements" about air quality downtown for months after the attacks. Rep. Jerrold Nadler hosted the first of the hearings last month.

"Clearly, as the weeks pass, we have learned more and more that the EPA has simply looked the other way from one of the biggest calamities to ever happen in the United States," he said before the hearings.

This is not the first time the office of the Ombudsman has accused Whitman of improperly using her office to benefit the insurance companies in which she and her husband, John Whitman, reportedly hold \$100,000 to \$250,000 in stock.

According to an article in Salon.com, Mr. Whitman worked for Citigroup from 1972 to 1987, and now is a managing partner in Sycamore Ventures, a venture capital firm that has its origins in Citicorp Ventures, Ltd. Citigroup is a primary investor in Sycamore Ventures.

The article outlines EPA Ombudsman Robert J. Martin's charges that Whitman sought to punish Martin after he challenged a cleanup settlement with Citigroup that severely limited Citigroup's liability for the property, which it owned.

Meanwhile, Nadler appeared at City Hall yesterday to blast the EPA for its "reckless and illegal response" to the cleanup of offices and apartments in lower Manhattan. He called on the city and the federal government to begin immediate testing of every building in the vicinity of the disaster site.

Nadler and environmentalists have become increasingly critical of both the city and federal governments for their testing and cleanup of apartments and offices. While Nadler believes the outdoor air in lower Manhattan is returning to normal, he said the city is ill-equipped to handle the environmental affects of the disaster, and the EPA shirked its responsibility overseeing the effort.

Today, nobody knows how many apartments and offices have been cleaned by a responsible company certified to remove asbestos, he said. If some landlords are using firms with less sensitive detection equipment, nobody knows it, he argued, since the city has not supervised the process.

As a result, the city is headed for staggering lawsuit settlements, Nadler warned, unless it undertakes a systematic inspection and cleanup of every building.

"There should be testing done in concentric circles ... until you get consistently negative results," he said.

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