Torres Rojas, Genara TnZH12134

From: kawika7777@hotmail.com
Sent: Sunday, February 13, 2011 4:06 PM
To: Van Duyne, Sheree
Cc: Torres Rojas, Genara
Subject: Freedom of Information Online Request Form

Information:

First Name: David
Last Name: Cole
Company: FS Inc
Mailing Address 1: 733 Route 32 N
Mailing Address 2:
City: Schuylerville
State: NY
Zip Code: 12871
Email Address: kawika7777@hotmail.com
Phone: 802-375-5923
Required copies of the records: Yes

List of specific record(s):
Photos, taken by Peter Rinaldi, PA employee, of the chiller unit, tanks, pumps, etc, during an expedition to assess conditions of the main chiller unit under the North Tower, of the former World Trade Center. Also any documents relating to that assessment and of the removal of Freon from the chiller unit.

THE PORT AUTHORITY OF NY & NJ

Sheree Van Duyne
Acting FOI Administrator

March 17, 2011

Mr. David Cole
FS Inc.
733 Route 32 N
Schuylerville, NY 12871

Re: Freedom of Information Reference No. 12134

Dear Mr. Cole:

This is a response to your February 13, 2011 request, which has been processed under the Port Authority's policy on Freedom of Information, copy enclosed, for copies of photos taken by Peter Rinaldi of the chiller unit, tanks, pumps during and expedition to assess conditions of the main chiller unit at 1 World Trade Center, and for copies of documents related to that assessment and of the removal of Freon from the chiller unit.

Please be advised that we have searched our files and found no documents responsive to the request.

Sincerely,

Sheree Van Duyne
Acting FOI Administrator

Enclosure

225 Park Avenue South
17th Floor
New York, NY 10003
T: 212-435-7348 F: 212-435-7555

733 Route 32N
Schuylerville, NY 12871
March 21, 2011

PORT AUTHORITY GENERAL COUNSEL
FOIA/FOIL APPEAL
225 Park Avenue South
17th Floor
New York, NY 10003

RE: Freedom of Information Reference No. 12134

To whom it may concern;

It is impossible that no records exist concerning Peter Rinaldi's inspection of the main chiller unit. He accompanied a team of inspectors to that location. Here is the reference:

Sometime in November, 2001 an expedition to the suspected Freon source, the main chiller plant, was undertaken. The team ultimately determined that the main plant had been damaged and the Freon likely had been released early when the North tower collapsed.

Link: http://saintcamille.tzo.com/ftp/Text/amer_ground_part_1.pdf

--see PDF page 12--

"The damage was even worse than the engineers had expected
it to be, and it offered the first hard evidence of a fact
that was eventually verified during the excavation from the
surface—that the Freon had vented, and the beast at the center
of the pile was a myth."

From the book

American Ground: Unbuilding the World Trade Center

by William Langewiesche

Thank you very much,

David Cole

David Cole

733 Route 32N
Schuylerville, NY 12871
March 21, 2011

PORT AUTHORITY GENERAL COUNSEL
FOIA/FOIL APPEAL
225 Park Avenue South
17th Floor
New York, NY 10003

To whom it may concern;

1. The FOIA officer is not following the procedures for FOIA requests, particularly, part B(3) providing a statement of the approximate date, within 20 business days from the initial response, when the request will be granted or denied.
2. The FOIA officer is not always providing a subject matter reference within the acknowledgement letter.
3. Your on-line form should have an option to save the request for future reference.
4. Your on-line form is not working.

The following represents a list of outstanding requests:

1/19/11 (#?)-- For contractors after 1993 w/fees and dates

2/16/11 #12144 -- For tenant alteration applications

3/15/11 #12199?—For PA audio files (the reference number is not sure, because the acknowledgement letter did not refer to the subject, only the date of the request, and there were two for this date)

3/15/11 #12201—For truck ramp arrival records.

3/19/11 (No reference number yet) --For PA police reports The web link for FOIA requests does not function. I have tried to submit six times in two days.

Thank you very much,

David Cole

THE PORT AUTHORITY OF NY & NJ

Darrell Buchbinder, General Counsel
Christopher M. Hartwyk, First Deputy General Counsel

April 7, 2011

Mr. David Cole
733 Route 32N
Schuylerville, NY 12871

Re: FOI Reference No. 12134

Dear Mr. Cole:

Your letter dated March 21, 2011, addressed to "Port Authority General Counsel FOIA/FOIL Appeal" relating to your request for records under The Port Authority of New York and New Jersey's policy on Freedom of Information (a copy of which was made available to you), has been referred to me for response.

A review of the file on this matter reflects the following:

On February 13, 2011, you transmitted a request to the Office of the Secretary of the Port Authority for

> "Photos, taken by Peter Rinaldi, PA employee, of the chiller unit, tanks, pumps, etc, during an expedition to assess conditions of the main chiller unit under the North Tower, of the former World Trade Center. Also any documents relating to that assessment and of the removal of Freon from the chiller unit."

By letter dated March 17, 2011, the Port Authority's Acting Freedom of Information (FOI) Administrator, Sheree Van Duyne, acting on behalf of the Secretary of the Port Authority, informed you that a search of Port Authority files had been conducted but that no records responsive to your request were found.

In your March 21, 2011 letter you claim that "it is impossible that no records exist concerning Peter Rinaldi's inspection of the chiller unit." However, as you were informed by the office of the FOI Administrator, no records responsive to your request were found within Port Authority files. As such, there is no determination that can be subject to appeal.

Very truly yours,

Sandra B. Otero, Esq.

cc: Darrell Buchbinder, General Counsel
Karen Eastman, Secretary
Sheree Van Duyne, Acting FOI Administrator

225 Park Avenue South
New York, NY 10003

bcc: Timothy Stickelman
Daniel Duffy
John McDonough