

New York's Deutsche Bank fire deaths

Scapegoating of firefighters exposes official corruption and hypocrisy

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Just short of the sixth anniversary of the terrorist attacks which destroyed the World Trade Center, a seven-alarm fire raged through the half-demolished Deutsche Bank building at ground zero, killing two firefighters on August 18.

The building at 130 Liberty Street had been irreparably damaged when the south tower of the Trade Center collapsed into it on September 11, 2001. However, the building had stood shrouded in black netting for the past six years, oddly untouched by the cleanup and demolition efforts that had immediately gotten under way on the rest of ground zero.

Demolition of the contaminated building did not begin until February 2007, when in tandem with environmental regulators, workers finally began disassembling the 41-story building from the top down, using acetylene torches to slice through the steel beams and disassemble the structure. They had reached the 26th floor when the fire broke out.

Because the building contained elevated levels of seven hazardous substances, including dioxin, lead and chromium in addition to extensive asbestos, the detoxification work required sealing off each floor with plywood barriers and polyurethane sheeting in order to be cleaned before demolition. As a result, firefighters found themselves in a maze of highly combustible materials and sealed off stairwells without an up-to-date fire plan to enable them to fight the toxic inferno.

Several firefighters were overcome by smoke when their respirators ran out. Joseph Graffagnino, 33, of Brooklyn, a firefighter for eight years, and Robert Beddia, 53, a 23-year veteran of the New York City Fire Department, were killed.

Outrage over the conditions that led to the deadly blaze has prompted a series of belated investigations and finger pointing. There have already been revelations of incompetence and criminal negligence ranging from violation of the most basic safety regulations—there was no functioning standpipe to provide water for the hoses—to government agencies and private interests competing to avoid liability, all the way to evidence of official corruption and organized crime involvement.

The episode has served to expose the craven financial and political interests underlying both the official sanctimony that pervades discussions of ground zero and the hypocritical

reverence of firefighters, who are both the victims and scapegoats in this tragedy.

In the immediate aftermath of 9/11, Deutsche Bank sued its insurers but was not able to reach the sort of lucrative \$5 billion settlement awarded to Larry Silverstein, leaseholder of the Twin Towers. Instead, the Bank building was bought for \$90 million by the Lower Manhattan Development Corporation (LMDC), a joint New York City and State entity formed after September 11, 2001.

The LMDC was mandated to disperse \$10 billion in federal funds to rebuild Lower Manhattan, but like other government reconstruction agencies it has functioned mostly as a cash cow for favored business partners. Little, if anything, has been accomplished on high-profile design projects like the 9/11 Memorial. Apparently some funds are unaccounted for.

In the fall of 2005, Bovis Lend Lease, an international management company, won the \$82 million demolition contract from LMDC and assembled a team of three subcontractors to undertake the complex project. A detailed demolition plan had been accepted by the Environmental Protection Agency (EPA) that ensured that hazardous materials in the building were not released into the atmosphere. Remaining body fragments from the collapsed South Tower would need to be recovered. (More than 700 have since been found.)

However, the deal suddenly fell apart on the eve of being signed, at least in part because of an apparent mob death threat. The president of one of the contractors, North American Site Developers Inc. of Waltham, Massachusetts, has since reported to the FBI that he received a phone call telling him, "Don't come to our city. You're going to come in here and you're going to be leaving very shortly."

Within three months of the collapse of the first deal, Bovis gave the contract to the John Galt Corporation for only \$60 million, despite the fact that Galt was under investigation by the city for its ties to another contractor, Safeway Environmental. Safeway's former owners were convicted of bribery and mail fraud in the late 1980s and early 1990s and are accused of connections to organized crime.

With no public records of employees or clients since its

“founding” in 1983, the John Galt Corporation turns out to be a corporate fiction made up by someone with literary flair. Even its name is an inside joke—John Galt is a fictional engineer in Ayn Rand’s *Atlas Shrugged*. The novel—an anti-socialist paean to laissez-faire capitalism—opens with the line “Who is John Galt?” (*New York Times*, 08/30/07)

Apparently created as a front to allow participation by former Safeway executives after the company had been banned by the city’s Bureau of Investigation from getting contracts, Galt Corporation used Regional Scaffolding and Hoisting Company of the Bronx, which has no experience demolishing skyscrapers, to do the actual work. And despite its low initial terms, Galt later required an additional \$36 million to complete the job.

Galt has been cited for numerous safety violations at the Deutsche Bank demolition site. On May 15, a 15-foot pipe crashed 35 stories into the roof of the adjacent firehouse. A labor dispute halted work last year. Improper use of acetylene torches sent sparks showering through the building, which may have sparked the fire. Most serious was the disconnection of the building’s standpipe system—required by law to deliver water to each floor in case of a fire. Instead of being available to the 100 firefighters who rushed into the building on August 18, it erupted in a geyser in the basement.

Bovis terminated Galt’s contract on August 21, and the company may face charges of criminal negligence, but the scandal continues. Mayor Michael Bloomberg has vigorously defended Bovis, despite its hiring of Galt. “Bovis is a big company that does business around the world, does a lot of business in the city. We love them to work here. We certainly don’t want to scare Bovis away.” (*New York Sun*, 08/31/07)

Instead, the billionaire mayor gave orders for lesser heads to roll. Fire Commissioner Nicholas Scoppetta has reassigned three uniformed fire officers for allegedly failing to carry out building inspections. The officers and their union have protested that the order not to inspect the building came from the top levels of the fire department two years ago, because of concern over toxic debris in the building as well as over the costs involved in carrying out adequate inspections in such a complex environment.

Bloomberg’s vindictive action against the fire officers stood in stark contrast to the lenience shown by the city towards the multiple—and in some cases life-threatening—building code violations carried out by the contractors, who were given a slap on the wrist in terms of monetary fines, rather than criminal prosecution that such negligence can provoke.

Retired Firefighter Peter D’Ancona from Engine 10/Ladder 10 said that after he and three others had searched the building for falling glass wearing protective suits, a fire chief deemed the conditions so dangerous that he told them, “That’s it. You guys don’t go in this building no more. This is not right.” (*wNBC.com*, 08/29/07)

A backhanded effort has even been made to blame the EPA

regulations themselves for having intensified the blaze. In his weekly radio interview on WABC last week, Bloomberg chided those who did so. “In their (the EPA’s) judgment, this is what’s required to keep the public safe. I’m not an expert, and you know what would happen to them if they relaxed their rules. There’d be all sorts of criticism, and you remember (former EPA administrator) Christie Whitman going through all of that craziness.” (Whitman had declared the air in downtown Manhattan fit to breathe less than a week after the attacks.) (*NY Times*, 09/01/07)

And the mayor’s office did not seem concerned that the half-dozen floors affected by the fire were left open to the elements for over two weeks until the EPA called for it to be properly sealed.

Whatever the immediate cause, the Deutsche Bank fire has exposed a network of negligence, criminality and greed that reaches into the highest levels of New York City government. Behind the rhetoric about honoring the heroes who died on September 11 that will be turned up to full volume in a few days for another anniversary ceremony, lies absolute indifference to the lives and health of firefighters—many of whom had also been first responders on 9/11—as well as the construction workers, residents and other workers of lower Manhattan.

An estimated 400,000 people were exposed to the toxic dust from the World Trade Center. Hundreds have become ill with lung ailments, and several deaths have occurred. Thousands of suits have been filed against various government agencies. Most recently, on August 27, a report by the New York City Health Department found rates of asthma to be 12 percent higher than normal among rescue and recovery workers at the World Trade Center site.

In an interview with the *New York Daily News*, Linda Graffagnino, the widow of Firefighter Joseph Graffagnino, who died in the Deutsche Bank blaze, summed up the essential question posed both by the conditions that led to this tragedy and the official response to it. “It seems with the city it’s really all about money. It’s not about human life,” she said. “Now, who is paying the price? Me, my in-laws and my children. My children don’t have a father now.”



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