

FOR RELEASE September 5, 2007:

Union Says FDNY Investigation into Deutsche Bank Fatal Fire Compromised

The Uniformed Firefighters Association (UFA) today said that the internal investigation by the FDNY into fire operations at the fatal Deutsche Bank fire on August 18 has been compromised.

In the Sunday, September 2nd edition of the **New York Daily News**, columnist Michael Daly quotes an unnamed Senior Fire Official. In the article, Daly writes, "From a senior fire official comes word that one of the two firefighters killed at the Deutsche Bank building still had five minutes of air in his breathing tank when he perished."

Such information is only known to the FDNY's Safety Command, which reports directly to the Commissioner.

Today the UFA is calling on the City Department of Investigation (DOI) to investigate the circumstances of this leaked information.

A critical part of the investigation is the role of the leadership of the FDNY, who to this day have not been interviewed. Commissioner Scoppetta conducting an investigation is useless to firefighters and the public. Nick Scoppetta is a subject of that investigation.

Steve Cassidy, UFA President said, "Not only has the Fire Department not investigated conditions leading up to the tragedy, but it has compromised its own investigation by leaking vital information. Subpoenas need to be issued to those in decision making capacities at headquarters and they must be compelled to give testimony under oath."

Since the fire 19 days ago, the FDNY has continued to evade basic questions, such as who was the liaison on the commissioner's internal staff to the LMDC and to the Deutsche Bank job site. To this day, FDNY investigators have not probed circumstances leading up to the fire, instead focusing only fire operations the day of the fire.

On August 21 the UFA called upon New York State Attorney General Andrew Cuomo to conduct an independent investigation into circumstances of the fatal fire.

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Michael Daly

Firefighter Robert Beddia May Have Saved Air in Last-Ditch Deutsche Fire Search

From a senior fire official comes word that one of the two firefighters killed at the Deutsche Bank building still had five minutes of air in his breathing tank when he perished.

The department had believed that Firefighter Bobby Beddia and Firefighter Joe Graffagnino of Engine 24 both died after their air tanks ran out.

But a test is now said to have established that Beddia's tank had five minutes of air that could have made the difference between life and death.

The stunning results left the FDNY with an added mystery amid myriad questions of how the building was permitted to become a deathtrap. Beddia is acknowledged to be an extremely experienced, skilled and courageous firefighter who was not likely to have hit the manual shutoff on his air supply without good reason.

"What happened?" the senior official asked aloud on Friday.

In the most likely scenario, those five minutes can be seen as a testament to the courage of a firefighter who set out in search of a missing comrade and was overcome by smoke as he sought to extend his air supply rather than turn back.

This scenario begins after the FDNY finally got water into the building despite a severed standpipe. Engine 24 was on the 14th floor in blinding smoke and intense heat, but with no visible fire at which to aim the nozzle.

In keeping with standard practice that makes bravery routine, the lieutenant working with Engine 24 ventured away from the line to search for the fire and direct where the water should go.

But there was nothing standard about this fire in a demolition project that could not have been more deadly for firefighters if it had been designed to be so. The situation quickly went from hellish to even worse.

At one point the firefighters are said to have banged the nozzle on the floor as an "over here!" signal to the lieutenant. Beddia was the senior man on the line and by one knowledgeable account he instructed his two younger comrades to remain where they were as he searched for the lieutenant.

"He tells them to stay put; he crawls out to look," **a veteran officer said yesterday.**

Beddia let go of the line he could have followed back to safety and ventured into the disorienting smoke. He would have come to a moment when the vibra-alert on his air tank told him he was running short of air. He would have then come to a moment when he had to make a fateful choice.

Did he give up the search and turn back before his air ran out?

Or did he try to extend his air and keep searching by "taking hits," clicking the manual valve on the regulator off and on?

Beddia came from a firehouse that lost three men in 1994 and 11 more on 9/11, and he must have been determined not to allow yet another to die just across the street from Ground Zero. He also was not one to abandon a fellow firefighter even if "taking hits" is officially frowned upon.

He apparently kept searching, trying to extend a few minutes of air into a few more minutes with the hope of saving his officer. He seems to have been felled by the extraordinarily toxic smoke that was an added, hideous twist to the Deutsche Bank nightmare.

"The most probable explanation is he was trying to conserve his air to stay in a little longer, and while trying to conserve he was overcome," **the veteran officer said.**

Back on the line, Firefighter Joe Graffagnino was with a young firefighter who was filling in from Engine 255. Graffagnino's air ran out completely and the young firefighter heroically removed the regulator from his own face mask and attempted to share his air.

The younger firefighter would later report that the smoke was so poisonous he nearly lost consciousness after one choking breath of it. He managed to reach the building's exterior and alert comrades who rushed in to help Graffagnino. He was already beyond saving, as was Beddia.

Beddia, Graffagnino and the young firefighter all showed uncommon courage, courage such as our firefighters demonstrate every day. The two who perished would no doubt only be glad that the officer was able to find his way to safety.

The big question remains: Who had a hand in creating that deathtrap?