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CLEAN SWEEP

Managing Environment Concerns In Commercial Renovations

A Witch's Brew Of Hazardous Materials Lurk

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The office parks lining Route 128 and 495 are showing new life as owners undertake renovations to lure tenants with the retail, restaurant and residential amenities



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currently associated with urban centers like the Innovation District in Boston and Kendall Square in Cambridge. With this wave of renovation come environmental concerns that, although potentially significant, can be managed through careful planning and attention to federal, state and local requirements.

PCBs In Caulk

Polychlorinated biphenyls (PCBs) were used in caulk between about 1950 and 1979 because of their water resistance and elasticity. Anyone planning renovations to a building built or renovated during that time period should prepare an abatement plan focused on safely removing PCB-containing caulk, cleaning up adjacent building surfaces and preventing further contamination.

PCBs have been detected in caulk in concentrations as high as 440,000 parts per million (ppm) in buildings built or renovated between about 1950 and 1979 (USEPA prohibits the use of PCBs at levels above 50 ppm). According to U.S. Environmental Protection Agency (EPA), PCBs may cause cancer, as well as immune system suppression and dam-

age to the liver and reproductive and nervous systems. Exposure can occur by touching PCB-containing caulk (dermal contact), hand-to-mouth contact after touching PCB-containing caulk (ingestion) and breathing in dust contaminated with PCBs or PCBs off-gassed from undisturbed caulk (inhalation).

At a minimum:

- Caulk should be tested and, if found to contain PCBs more than 50 ppm, removed and disposed of in an authorized landfill, incinerator or other disposal facility.
- Building materials, such as brick or concrete, that are contaminated by more than 50 ppm PCBs from caulk must also be removed and disposed of in accordance with federal regulations (40 C.F.R. Part 761).
- The removal of caulk and building materials known or suspected to contain PCBs must be managed to minimize workers' exposure and prevent the release of PCBs into the environment.

Asbestos

Asbestos was widely used in building materials because of its durability and heat resistance. Asbestos-containing materials (ACM) include fireproofing, pipe and boiler thermal insulation, roofing and siding shingles, vinyl floor tiles and textured paint and patching compounds used on walls and ceilings.

ACM poses a health hazard when asbestos fibers become airborne and are inhaled. However, intact, sealed or otherwise undisturbed ACM has not been identified as a health hazard to building occupants or workers.

All commercial buildings are subject to

MassDEP's asbestos regulations (310 CMR 7.15). To ensure compliance with these regulations:

- Prior to starting any renovation work, building owners or developers should engage a Massachusetts Department of Labor Standards (DLS)-licensed Asbestos Contractor to identify ACM present in the building and determine whether it will be disturbed by the proposed renovations.
- Any ACM that may be disturbed must be removed prior to the start of the proposed work. Failure to do so can result in penalties.
- MassDEP requires at least 10 working days notice prior to the start of any asbestos removal work. DLS requires at least 10 calendar days written notice. In addition, local boards of health, fire departments and building inspectors may have their own notice requirements.
- Safe work practices designed to prevent disturbance and release of ACM should be part of any renovation plans. They should reflect MassDEP's requirements for handling ACM, including the use of special equipment and specific work practices relating to containment areas and packaging and labeling of waste ACM.
- Under MassDEP's solid waste regulations, waste ACM must be wetted and sealed in leak-tight, properly labeled containers and may be disposed of only in approved landfills.

Lead-Based Paint

The EPA may extend its Lead Renovation,

Repair and Painting Rule – which currently requires contractors working on homes, child care facilities and pre-schools built before 1978 to be certified by the EPA and follow lead-safe work practices – to commercial buildings. After issuing the rule in 2008, the EPA was sued for failing to address potential lead hazards created by the renovation of commercial buildings. It agreed to determine

whether such renovations create lead hazards and if so, propose work practice and other requirements by July 1, 2015.

In sum, owners seeking to renovate and reposition aging commercial buildings should be ready to tackle environmental issues – including PCBs and asbestos – that must be properly addressed to keep projects on budget, on schedule and off of the desks of EPA

and MassDEP enforcement staff. The best way to achieve these goals is to hire and plan ahead with knowledgeable, licensed professionals who know the technical and legal requirements to staying in compliance. ■

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