



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

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January 12, 2015

DLS File No. 15A-014

Superintendent Roger Bourgeois
Greater Lowell Technical High School
250 Pawtucket Boulevard
Tyngsborough, MA 01879

Dear Mr. Bourgeois,

Under authority delegated by the United States Environmental Protection Agency (“EPA”), the Massachusetts Department of Labor Standards (“DLS”) administers and enforces the Asbestos-Containing Materials in Schools Rule, 40 CFR 763, Subpart E, commonly known as the Asbestos Hazard Emergency Response Act (“AHERA”). AHERA requires that schools inspect buildings that they own, lease or rent for asbestos-containing building materials (“ACBMs”), create and execute written plans for managing ACBMs in a manner that minimizes asbestos exposure hazards, abate asbestos hazards that cannot be controlled through operations and maintenance (“O&M”) procedures, and carry out certain recordkeeping and notification functions. The regulation further specifies the mandatory elements of a management plan.

On November 25, 2014, DLS conducted an inspection at the Greater Lowell Technical High School (“GLTHS”), located at 250 Pawtucket Boulevard, Tyngsborough, MA, in response to a complaint received by DLS alleging that dust was allowed to accumulate in classrooms, that pipe penetrations through the walls were not sealed, that there were broken transite pegboard panels where pipes had been newly installed, and visible pieces of broken transite remained in various areas after removal of the transite pegboard.

This report details DLS’s observations during the November 25th inspection and addresses the complaints that were raised.

Statement of Facts

On November 25, 2014, prior to conducting an inspection at GLTHS, DLS held an opening conference at the school with representatives from the following: Dave Gorman and Stephen Meirs, Superintendents for Consigli Construction, Milford, MA, the general contractor; Mike Williams, Project Manager, of KBA Architects, Charlestown, MA, the architectural firm; Ammar Dieb, Universal Engineering, Framingham, MA, the asbestos consultant firm; Raphael Guzman, R.M. Technologies, Lawrence, MA, the asbestos contractor; Roger Boudreau, the Superintendent of GLTHS; and Mark Byrne, the Director of Facilities for GLTHS. DLS then conducted a comprehensive visual inspection of the school building, with emphasis on the specific rooms mentioned in the complaint referenced above. DLS also reviewed the AHERA management plan, including the response action records relating to the ongoing renovation and removal of the asbestos transite pegboard.

Observations

During the inspection, DLS observed existing, installed transite panels where pieces had broken off in Rooms 1341, 1452 and 3480. It was reported to DLS that the broken transite panels are scheduled for removal during school vacations as part of the upcoming phases of the ongoing renovation project. DLS was advised that the asbestos contractor had inadvertently missed some of the transite panels that had been scheduled for removal in a few scattered classrooms in areas where renovations had been completed. The local education agency ("LEA") assured DLS that the transite panels in these classrooms would be abated during the holiday break.

Very little thermal system insulation remains in the school, as the thermal insulation had been mostly abated when the heating system had been upgraded and converted to gas. Two elbows were observed on the first floor outside the machine technology area where the corridors intersect. The elbows were in good condition and did not exhibit any signs of contact damage or deterioration. These elbows will be abated as the renovation work progresses. It was reported that as any previously unidentified ACM is discovered, it will be removed by the asbestos contractor.

Various colors of 12x12 floor tiles were observed on the stairwell landings and in the shop office. Some of the tiles were installed approximately 8 years ago, and others installed as recently as two years ago. Boxes of surplus floor tiles indicate the product is a vinyl composite tile manufactured in the USA. DLS recommended to GLTHS that a product information sheet be obtained from the manufacturer to verify that the floor tiles do not contain asbestos. Rubber treads are present on the stairs. At the time of the inspection the floor surfaces appeared clean and well maintained.

Most of the ceilings are exposed, including the hallways and classrooms. Suspended ceiling tiles (2x2) are present in select areas. The original classroom walls consisted of

concrete block on the lower two thirds of the wall, and asbestos containing transite pegboard on the upper third. The ongoing renovation work that began earlier this year and is still ongoing includes the replacement of the asbestos transite pegboard with a non-asbestos containing pegboard.

It was reported to DLS that the school is cleaned daily by both the general contractor crew after they complete their work for the day, and the school maintenance staff, to minimize the general construction dust generated during the various renovation activities. At the time of the inspection, DLS did not observe any buildup of dust in the hallways or classrooms that were the subject of the complaint, nor in any other areas of the building. It was reported to DLS that the carpets in the hallways are vacuumed daily with a High Efficiency Particulate Air (HEPA) filtered vacuum cleaner, which is capable of removing all particles down to .3 microns in size without re-entrainment into the ambient building air. Carpets are cleaned with an extractor 3 to 4 times per year, and shampooed twice a year.

DLS observed a project design for the drilling of holes through the transite wall covering. Documentation indicates that the drilling was performed within a glove bag, and ambient air testing conducted during the drilling operation indicates that asbestos fiber levels were below the state established clearance level (below 0.01 fibers/cubic centimeter) following abatement. No visible debris was observed.

An issue of sealing the pipe penetrations was raised in the complaint. It was reported to DLS that the fire protection system installation is still in progress, and all pipe penetration openings will be sealed to meet the fire protection standards prior to completion of the project.

Summary

At the time of the inspection, DLS did observe that some asbestos transite pegboard still covering the walls of classrooms in scattered locations around the school exhibited broken edges, including room 3480. Though the risk of exposure from the exposed edge is minimal unless the transite panel is disturbed by sanding, grinding, cutting (by sawing), chipping or abrading, DLS advised the LEA that the edges of the broken transite pegboard should be sealed until removal can take place. The LEA will post a "dashboard" report (a public bulletin board) highlighting the rooms which are scheduled for abatement and proposed dates of abatement to keep staff and occupants informed of ongoing work.

Upon review of the management plan for GLTHS, it was noted that the LEA had hired Mill City Environmental Corporation of Lowell, MA to renovate the science lab in November 2013. AHERA requires that if an asbestos response action is performed, records and documents from that response action must be added to the management plan, including the contractor's daily sign in and out logs, and the final clearance monitoring

results. DLS did not observe these records as part of the plan and instructed the LEA to collect those specific records and incorporate them into the management plan. DLS noted that the LEA is in compliance with all other requirements under AHERA.

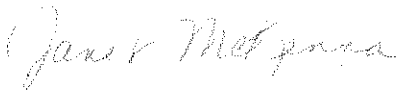
GLTHS is required to take the following actions to bring their Asbestos Management Plan into compliance with AHERA:

- 1) Obtain the product information sheet from the manufacturer(s) of the vinyl composite tile to verify that the newly installed floor tiles do not contain asbestos, and incorporate it into the Asbestos Management Plan.
- 2) Collect the required records from the November 2013 asbestos abatement project and incorporate those records into the Asbestos Management Plan.

Please provide copies of the above referenced documents and a letter to DLS confirming that said documents have been incorporated into your Asbestos Management Plan within 30 days of receipt of this report. Failure to comply with the requirements set forth in this report within the period of time specified may result in issuance of a civil administrative penalty and other actions as set forth in 453 CMR 9.04.

Thank you for your continued efforts to ensure the health and safety of your staff and students. Should you have any questions regarding this inspection or any asbestos related matters, please feel free to contact me at 413-781-2676 ext. 5673, or 617-626-5673.

Sincerely,



Janet McKenna
Environmental Engineer

cc:

Anh Bungcayao	Counsel II, Department of Labor Standards
Brian Wong	Chief, Investigations & Enforcement Unit, Department of Labor Standards
Mark Byrne	Director of Facilities, GLTHS

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