



Commonwealth of Massachusetts
Executive Office of Energy & Environmental Affairs

Department of Environmental Protection

Northeast Regional Office • 205B Lowell Street, Wilmington MA 01887 • 978-694-3200

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September 13, 2019

By E-mail and First Class Mail

Representative Mike Connolly
Massachusetts State House
24 Beacon Street
Boston, MA 02133

Re: 40 Thorndike Street, Cambridge, former Edward J. Sullivan Courthouse

Dear Representative Connolly:

Thank you for your letter to Massachusetts Department of Environmental Protection (MassDEP) Commissioner Martin Suuberg regarding the former Sullivan Courthouse.

We appreciate you informing MassDEP about you and your constituents' observations and concerns about the conditions at the property. In addition, we appreciate your acknowledgement of the rapid response and work done by MassDEP over the course of the Labor Day weekend.

MassDEP takes the concerns of the residents, Cambridge City staff, and elected officials seriously. As you are aware, the building contains some asbestos containing material (ACM) and some asbestos contamination. The Division of Capital Asset Management and Maintenance (DCAMM) is responsible for the building and the property.

When MassDEP responded to the concerns on August 30th and over Labor Day weekend, our primary concern was a ground-level bay opening in the building approximately 10 feet wide and 12 feet high. Unlike other bays in the structure, this opening did not contain a solid door, but rather a fence-like grate, which allowed air (and materials) to discharge out of the building onto the outside concrete ground surface ("grated bay"). There was a small amount of debris that had passed through this grate that may have been some type of insulation or spray-on coating that could contain asbestos.

This information is available in alternate format. Contact Michelle Waters-Ekanem, Director of Diversity/Civil Rights at 617-292-5751.
TTY# MassRelay Service 1-800-439-2370
MassDEP Website: www.mass.gov/dep

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A state contractor, NRC, was engaged to conduct the remedial actions required by MassDEP. The NRC crew consisted of a foreman, an asbestos technician and a laborer. In summary, MassDEP required that the small amount of debris inside the grated bay be removed using a HEPA vacuum. A 6-foot by 12-foot area outside the grated bay was wetted and then the wetted street sand/debris was placed in a 55-gallon drum for offsite disposal.

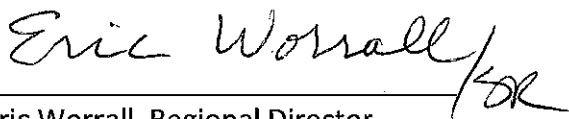
MassDEP also required that the NRC crew construct a wall in front of the grated bay using 2x4 studs with a top and bottom plate. The frame was attached to the wall of the building using concrete anchors. Polyethylene sheeting was then stapled onto the studs, which were then covered with plywood. In addition, one of the NRC workers was directed to go inside the building (with a security guard) to close a window that was open above the bay area. MassDEP also restored a section of fence and secured the opening with locks. DCAMM is further securing the property through security guards assigned to the property.

Once the described remedial actions were completed, MassDEP concluded that the immediate concerns had been appropriately addressed and that the site was secure. MassDEP has reviewed your letter and your ongoing concerns, as well as concerns set forth by the Acting Fire Chief. MassDEP plans to discuss your additional observations and concerns with DCAMM at a meeting that will be held within the next week. MassDEP plans to discuss both short-term and long-term issues concerning the building with respect to asbestos-containing materials.

Among other items for discussion will be any short-term actions, such as addressing open windows that have been reported. Another item for discussion will be DCAMM's plan for dealing with the flooded basement, which will require DCAMM to have its consultant submit a Non-Traditional Asbestos Abatement Plan (NT Plan) application to MassDEP for review and approval. DCAMM has informed MassDEP that it will conduct air testing at the property, and we MassDEP will discuss the scope of timing of the air testing when we meet.

We plan to further update you following the upcoming meeting.

Sincerely,



Eric Worrall, Regional Director
MassDEP – Northeast Regional Office

cc: Louis DePasquale, City Manager
Gerard E. Mahoney, Acting Fire Chief
Marc McGovern, Mayor
Gary Moran, MassDEP Deputy Commissioner for Operations
Brian Ferrarese, MassDEP Chief of Staff, Acting Legislative Liaison