Southwark E.S. Asbestos Assessment & Remediation - 08232015

*** SUMMARY OF MAIN PARTIES**

[a] Asbestos Abatement Contractor - **Delta Removal** [this contractor was low bidder on this job, Bartram, Penn Treaty and perhaps others this year];

[b] SDP's Environmental Monitoring Firm - **Environmental Testing Consultants [ETC] LLC** — Owner - Howard Zenobi;

[c] API - Asbestos Project Inspector - licensed individual, working for ETC, on behalf of SDP-OEMS to oversee, control and monitor the work area[s]:

* ETC Asbestos Technicians [APIs] - **On-Site APIs - Troy Ray, James Madden, Robert McKenzie** and perhaps others;

[d] On 8/26/2014 the SDP awarded contract B-020C [Gen'l Contract Roof Replacement & Structural Modifications] in the amount of $1.8m;

[e] On 12/12/2014 we received a "Construction Kick-Off Conference" meeting notification from Kevin Courtney, SDP Project Manager;

[f] On 2/26/2015 the SDP awarded contract B-002C [Electrical Contract & Mechanical Plant Installation] in the amount of $2.6m

***** Asbestos evaluation, assessment and remediation work was a required element to be completed prior to some of the above CPO activities**

ASBESTOS RELATED WORK SUMMARY, SCHEDULE & APPROACH

A. SCHEDULING/OCCUPANCY ISSUES

I am providing below, five [5] elements that I foresee as complicating the building opening schedule [this list is likely not comprehensive]:

[1] Cleaning & Setting up the School - Building engineering/custodial personnel time, resource, & access to building areas to clean & prepare for school occupancy;

[2] Mechanical Work Needed - Additional work related to the roofing, electrical and mechanical [heating system and related] contracts referred to above is required.

I am unsure of current status of mechanical, electrical and roofing work, but it is clear that these activities are, & will continue to be, compromised at least to some degree by the asbestos issues requiring that contractors engaged in the major capital program project at Southwark will have to be kept out of the building for some undetermined [as of yet] period of time. On their return to the building, occupant impacts associated with contractor work now required during occupancy, & that might be necessary in order to complete electrical, mechanical & heating system upgrades, may be very problematic & require careful coordination, collaboration & control.

[3] Review of Sampling Results & Existing Documentation - Time required by us to obtain, review and digest multiple information sources about potential problems and issues [e.g. asbestos ceiling tiles in the main office?, bulk material results collected - supposedly - between Friday and today of plaster,roofing and ?? (no info, notification or other formal info/inclusion from SDP)];

[4] Review and Assessment of Data to Determine Contamination Scope - Completing a sufficiently comprehensive assessment & review of contractor/consultant work practices and procedures necessary for the evaluation and determination of the potential scope, scale and locations of asbestos contamination and for the design and implementation of asbestos related remediation and clean-up; and

[5] Remediation Design, Implementation & Verification - The length of time ***reasonably*** needed to conduct the above work ***as well as*** mobilizing, overseeing, controlling and evaluating a large-scale asbestos remediation, cleaning and testing effort of the type required at Southwark.

B. ABESTOS CONTAMINATION ISSUE SUMMARY

A summary of the reasons I believe the asbestos situation/condition at Southwark supports non-occupancy and use at this building includes:

1. Poor Contractor Work Practices & Oversight Contributed to Contamination - deficient contractor asbestos abatement work practices have been documented as likely causes/contributions to significant asbestos contamination of adjacent "clean" & accessible to unprotected personnel, spaces; the extent of related contamination spread from this source is impossible to estimate exactly.

2. Elevated Airborne Asbestos Levels in Many Locations - Multiple work areas throughout the school, have shown extremely elevated levels of asbestos both **inside and outside of contained spaces** - this happened most recently in the stairwell work area[s] at the main entrance to the school where air sampling results from joint testing conducted on Friday [results provided Saturday, 8/22] documented the highest contamination levels seen yet inside and outside of contained areas - this after extensive and additional recleaning???

3. Power Issues - Ongoing issues with electrical infrastructure and sustainable power availability, access and capacity contributed to both sampling and assessment problems as well as possibly impacting the ability to maintain work areas under sufficient negative pressure to assure no outward leakage of air from asbestos work areas;

4. Critical Barrier/Decontamination Chamber/Shower Issues - The job set-up as directly observed on many occasions documented the presence of simultaneous and multiple asbestos abatement work areas being established [i.e. with plastic containment barriers, duct tape, negative air pressure, etc.], and at various states of completion, throughout the building. Given the specific schedule and situation at Southwark, this approach leads to increasing likelihood that containment barriers may be breached and/or fail [simply because of being left in place for too long a period of time in very hot and humid conditions] and this was observed. Additionally, one of the main types of contaminant control [to avoid asbestos fibers migrating into "clean" areas] is to establish an effective 3-stage decontamination chamber [including shower] and to ensure proper use and compliance by workers entering and leaving contaminated areas - there is information to suggest that this type of decontamination process may not have been strictly enough followed.

5. Uncontrolled Material Handling Concerns - Contractor equipment and material has been moved and stored throughout the school making determination of contamination potential and pathways impossible to delineate [this is in direct contrast to other job sites including those at schools];

6. Impacts Associated with Other/Non-Asbestos Contractors - Other contractors [electrical, heating, roofing] have been permitted to work at Southwark during the same time as the asbestos abatement work is occurring - this is a very poor and potentially dangerous/hazardous work practice and should not have been allowed - their work may also have inadvertently contributed to asbestos contamination in building areas;

7. "New" & Additional Asbestos Materials Present at the Site - Information just now coming to light - but still without the necessary transparency, consultation and collaboration to allow for efficient and joint assessment and input - indicates that there may be additional sources of asbestos materials/contamination in the building including, but not limited to: plaster, ceiling tiles and roofing materials.

8. Lack of Coordination/Control of Project - The Southwark project is not unusual in presenting exceptional challenges and difficulties in project control, management and oversight primarily

because of inadequacies in the reported structure and practical enforcement of contracts in which multiple contractors and sub-contractors, especially asbestos contractors are working on a site. There is much too limited coordination and direct control/contact between SDP project managers and the asbestos contractors and with OEMS and it's APIs to efficiently facilitate overall project schedules and work. At the same time, OEMS, and it's APIs are unable, and are not authorized to, exert necessary control over non-asbestos contractors sufficient to ensure that their work does not impact adversely on the asbestos activities nor can the APIs easily direct the non-asbestos contractors to remain out of areas/off of floors as they might deem best.

The situation described above has been in place for years and we, and others, have raised it again and again, without achieving positive and implementable response from the SDP.

9. Lack of Commitment by SDP Representatives to Joint, Evidence-Based & Professional Problem Evaluation - Comments made by SDP representatives about the lack of "violations" and/or work practice and procedure deficiencies as per City of Phila. AMS inspectors are of little meaning or explanatory value in assessing the obvious widespread contamination now documented as present at Southwark — The Phila ACR is a "minimum wage" standard [as is the case with most regulation of this type] and is enforced on an extremely limited basis by the City [2 inspectors to cover all asbestos removal jobs across the entire City].

In addition, unprofessional and unwarranted comments made by Francine Locke during a 20 minute phone conversation initiated by Wayne Gresala conducted at 9:15 am on Friday 8/21] are a perfect reflection of the thinking, behavior and "culture" of the SDP related to protecting occupant health and safety. Instead of working together and listening to the input, experience and information I/we had obtained I was called "a terrorist" and "a liar" and told that I "lied all the time" and that I was "terrorizing" the Philadelphia School District and nothing I said could be trusted. Francine also mentioned that there were no real problems on site, certainly none that justified my comments and concerns as expressed then and previously - including in writing. Obviously, the SDP position, in that regard, is and was erroneous.

It should be noted that although Locke's tirade was extreme, it is simply the unfortunate "loud" expression of SDP culture re: asbestos and other H&S issues as evidence by the lack of cooperation and information sharing by Jerry Junod and others involved on behalf of the SDP in these matters

C. PROPOSED INTERIM WORK PLAN - AS OF MONDAY 8/24/15 - please consider what is written below as a preliminary, initial and minimally necessary approach and primarily for discussion purposes; it is neither intended as, nor should it be considered as a comprehensive plan

[1] No Occupancy as of Monday, 8/24/2015

The Southwark E.S. interior spaces should remain unoccupied and inaccessible to all [except protected personnel] until an approach to assessment and decontamination of the site is designed and implemented. Because it is currently impossible to determine the exact where, how much and why [sources] of asbestos contamination, any access and walking around the building may result not only in exposure to unprotected individuals but also can further complicate the spread and extent of impacted areas

[2] Asbestos Contamination Evaluation Assessment Scope & Scale - Necessary to design and implement the cleaning and testing process needed

[a] An accounting, by SDP representatives, of all sample results obtained to date, with specific locations and all relevant details provided - tabular summary acceptable - is necessary;

[b] All deficiencies as noted on the job site [by SDP APIs, OEMS representatives, building engineering/custodial workers, PFTH&WF/U-OHCS representatives, mechanical contractors, and others] and all corrective actions directed to date by the SDP's API [eg related to showers, equipment handling storage, containment breaches, etc.] should be provided/shared as part of the effort to develop a data-driven, evidence-based determination of asbestos contamination potential, extent and scope;

[c] Consideration should be given to the evaluation and implementation of some specific, and very timely, measures/assessment strategies aimed at quickly identifying areas that we could agree and consider as currently "uncontaminated" such that we could limit clean-up/remediation scope, establish "clean" staging areas, and provide area[s] for personnel access without the requirement to wear personal protective equipment [suits and respirators];

[d] Determination and discussion about additional sources of contamination, as appropriate

[3] Development, Implementation, Testing & Scheduling of Asbestos Remediation Efforts - This will be complicated by several factors and some competing interests including: turning areas over to school cleaning and engineering personnel to get it ready of Sept.; turning areas over to contractors so they can move forward and complete their work; logistics and timing of large-scale sampling [both from the sample collection and laboratory analysis standpoints]

[a] Discussions about the number of samples and their locations is necessary;

[b] Discussion about the scheduling of sampling collection and the locations to sample in, and in what order, is necessary;

[c] Discussion about how to establish separate and/or somewhat contained sampling zones is necessary

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