

Best Practices

Asbestos Investigation, Inspection, and Remediation

Business Challenge

When it comes to asbestos regulations, the team at EBI Consulting understands that our clients must often weigh regulatory environment risks against business costs, and choose a standard of care that suits their goals and risk tolerance. We understand that regulations and enforcement vary considerably from state to state, town to town; and often shift over time. As such, it can be a challenge to choose a standard of care that suits your business needs for each deal in each locality.

Because regulations and enforcement vary so significantly, each project has its own individual regulatory considerations in addition to cost considerations. EBI Consulting creates a customized solution for each project in order to minimize costs to the client and avoid regulatory violations. Our asbestos experts take into consideration the project's specific regulatory environment, labor and union environment, as well as the size and scope of the project or renovation. This project management approach allows us to tackle any project with the most relevant information necessary to make the best recommendations for the client.

Changes in enforcement can also occur when least expected, whether due to political or other outside forces. For instance, as a result of increased enforcement, numerous New York City asbestos investigators were indicted for falsifying asbestos inspection reports. These false inspection reports not only caused bigger headaches for their clients, but also added to their overall costs, which could have been easily avoided if they opted for a more thorough investigation. EBI's experts are here to advise clients on how to avoid these project disruptions, regulatory citations, et cetera. By monitoring and staying up to date on local regulatory environments, we anticipate and prepare our clients for changes.

EBI Consulting was recently retained by a developer for a high-profile project in downtown Boston, Massachusetts. This client understood it was in their best interest to thoroughly investigate the property for asbestos, other hazardous materials, and any other potential issues *prior* to the start of major renovations. In this particular case, the project was located near a large hospital and in a more residential area. The hospital, local residents, and the construction labor market were anticipated to have concerns and expectations of reasonable investigation for hazards that could impact health and safety. EBI and the developer (client) worked together throughout the course of the project to keep them in full compliance by coordinating well with not only the client, but with contractors, architects, and others hired by the client. EBI completed Steps 1 through 3 below, and has recommended Step 4.

Step I: Concept Phase Investigation

During the Concept Phase, EBI conducted a broad investigation of the property, looking for asbestos, lead, and other hazardous materials whose presence could have a substantial impact on the overall project cost due to the high cost of remediation. This investigation was not overly invasive, but documentation was created to serve as building blocks for future, more-invasive investigations. This phase was conducted two years prior to the renovation, just as the client began to develop the plans for the project. Working closely with the architect, who provided demolition and architectural drawings of the proposed work, was a crucial aspect of this inspection: it enabled EBI to narrow the focus of the inspection to areas where renovations were planned, further trimming the cost of investigation.

In addition to hazardous materials, the client had concerns about the presence of mold and its implication on selective demolition and new construction. While mold growth is a concern in an occupied building, it is ubiquitous in construction projects exposed to the outdoor environment. EBI Consulting was able to ease the client's concerns of mold exposure and focus on clean and safe post-construction occupancy conditions. Some concerns may not be an environmental issue after a thorough assessment, which can unexpectedly release funds for use in the renovation budget.

Step 2: Design Phase Investigation

Two years after the initial inspection took place, and after renovation plans were over 50% complete, EBI conducted a more intrusive investigation based on the updated renovation plans. This inspection was more invasive than the first, and EBI thoroughly examined the building cavities and structural elements for hidden hazardous materials that could be exposed and disturbed by the planned renovation. EBI also completed a detailed inventory of all identified hazardous materials for Step 3 (Abatement Design and Bidding). To support the Architect's project budgeting, EBI provided budgetary estimates for abatement, abatement oversight, and other hazardous materials costs contingencies to be expected during the project.

Step 3: Abatement Design and Bidding

With Step 2 completed, EBI began Step 3 by creating a series of design documents. These documents included not only a diagram depicting the locations of all identified hazardous materials, but also a narrative list of the identified hazardous materials and step-by-step procedures (specifications) for abatement. These documents were distributed to contractors bidding on the project, and will act to ensure that work is performed with consideration of the owner's and client's priorities. After these documents had been created, EBI walked the abatement bidders through the buildings, explained the hazardous materials applications and scope of abatement, received and addressed questions, and issued addenda as needed. Doing so allowed the contractors the opportunity to provide a more accurate bid.

For many clients, this additional step may minimize costs down the road, as it allows for the most accurate bid possible from contractors. With an accurate understanding of the scope of remediation work, contractors are less likely to run into issues that trigger a stop work or change order. These not only cost a client additional time, but can also significantly increase costs; change orders are notoriously expensive, often charging more than double a bid cost.

Recommended Step 4: Abatement Oversight and Construction Administration

As part of Step 4 (Abatement Oversight), EBI's Abatement Manager can conduct daily or periodic review and oversight of the abatement contractor(s) work practices to ensure compliance with regulatory and project-specific requirements. At the same time, air samples are collected inside and outside the work areas to confirm, and provide the owner with a permanent record showing no hazardous materials escaped the work area or potentially contaminated the building or exposed occupants. Although daily abatement monitoring is not required in this particular case, there are many advantages to daily monitoring. With daily presence, we can anticipate and prevent stop-work conditions when days or weeks of productive construction work may otherwise be lost. EBI can also manage contractors and find time-saving and cost-cutting procedures.

The final service offered as part of Step 4 is Construction Administration. With this service, EBI acts as the hazardous materials arm of the architect/owner team, and assists the design architect with reviewing and responding to a variety of standard construction correspondence. These may include subcontractor submittals, Requests for Information (RFIs), Contract Change Directives (CCDs), Change Order Requests

(CORs), and subcontractor invoices. EBI inspects and reviews unforeseen conditions and provides direction to the architect, owner, general contractor and subcontractors as authorized. At the end of the project, EBI collects hazardous materials abatement contract close-out documentation for the Owner's permanent records. This provides a lifetime record of work for the owners of the property, which can be provided to potential buyers down the road, lessors, or others looking to understand the preexisting work done to the building.

EBI's Solution

EBI Consulting's approach ensured the client was in compliance with federal, state, and local regulations through proper timely investigations of the property. By allowing EBI to work directly with the architect, the team was able to properly steer the client away from unnecessary expenditures through simple tweaks to the project scope. By hiring EBI as the only environmental consultant for the project, the client received a customized, organized, and efficient solution to their problem.

Hiring only one environmental consultant from initial inspection to final closeout is a step few consider, but one that may save clients' money. As there is no need to review records from previous consultants for accuracy, EBI can minimize the confusion and duplication of work that often occurs when multiple consultants are hired over the course of a project. However, we understand that project requirements, budgets, and costs vary greatly. For some clients, more cost-conscious options may be the best business decision, but we counsel that these can lead to unexpected surprises, delays, and even regulatory issues. In many cases, spending a little more up front can save costs down the line.

Benefits of Using EBI Consulting

EBI Consulting takes pride in working alongside clients to help them understand the often complex asbestos regulations and best practices while demonstrating our consideration for clients' business needs and risk tolerances. By working with EBI, clients are able to minimize regulatory issues, and minimize the likelihood of stop work or change orders. This example is a high profile project in a heavily enforced regulatory environment with an involved labor market. Our customizable project management approach provides a variety of benefits to our clients.

Ownership of Project

Choosing to work with only one environmental consultant throughout the duration of a project provides a number of different benefits for the client. This gives the consultant ownership over each step of work, making them less likely to miss aspects of the project due to misunderstanding another firm's work. Using the same environmental consultant also eliminates the time it takes to understand what was previously identified through another firm, and overall reduces the possibility of discovering an unwanted surprise during construction. Most importantly, engaging EBI from concept through closeout of your project, ensures consistent and uncomplicated interpretations of contract documents:

- Avoid prolonged delays, unforeseen conditions, and expensive change orders
- Get an abatement/construction partner that takes ownership of the hazardous materials sections of the contract in order to stay on schedule and on budget.

Saving Pennies vs. Savings Dollars

Through more invasive investigations, EBI Consulting can help clients save money on unnecessary additional abatement costs. For example, EBI inherited another firm's initial investigation from a client in Maryland, where another environmental firm identified what they believed to be Asbestos Containing

Material (ACM) in both the drywall and joint compound. The client requested further testing from EBI and we discovered there was less than the regulated level of asbestos present, allowing substantial abatement cost savings. By investing less than \$1,000 in investigation testing, and laboratory analysis, the client was able to save over \$10,000 of abatement costs. This illustrates the importance of spending the extra pennies for thorough testing and investigation, so clients can save dollars on overall abatement costs during renovations.

EBI Is Trusted In the Industry

EBI Consulting is one of the top environmental due diligence providers nationally. Over the past 28 years, we've built strong relationships with contractors who have confidence in our work and our ability to exceed clients' needs. EBI leverages these relationships to obtain competitive prices and ownership of abatement scope of work. EBI Consulting and the abatement contractor both have a vested interest in limiting delays, work interruptions, and other headaches to ensure your project is completed on time and on budget.

If you want a one-stop shop for all of your hazardous materials needs, EBI brings our teamed contractors to your project to obtain the most cost-effective abatement bidder through competitive bidding. We work hard to ensure our clients see overall savings on abatement services with streamlined operations, fewer lost work delays, and fewer change orders.

Conclusion

Spending the extra time and money to hire a reliable, honest, and professional asbestos regulatory expert to help with your asbestos needs is key to having a smooth construction and renovation project process. Our team is well equipped with the knowledge and experience it takes to customize a solution to fit any client's needs. We take pride in working closely with the architects and contractors involved in a project to ensure our solution is not only efficient, but the most cost suited to your business needs. Our relationship with preferred contractors and our reputation for quality testing gives contractors and clients the guarantee that they can trust our work.



About the Author

Michael Walther, *Senior Program Director, Abatement*. Michael holds over 25 years of experience in the asbestos industry and environmental field. He has successfully completed a variety of large and small asbestos inspection, design, and abatement projects. During his career, he has also spent significant time performing consulting and construction services related to lead-paint, lead-in-soil, lead-in-water, microbial, PCBs, radon, subsurface contamination, selective and building demolition, and more. He directs all phases of asbestos, lead-in-paint, lead-in-water, mold, PCBs, and radon services from initial inspection to abatement management.

To learn more about how EBI Consulting can help you be more effective in your abatement services, please visit our website or [contact us](#).