



# CITY OF CAMBRIDGE

## FIRE DEPARTMENT

ISO Class 1 Fire Department  
HEADQUARTERS  
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September 11, 2019

Commissioner Martin Suuberg  
Massachusetts Department of Environmental Protection  
One Winter Street, 2<sup>nd</sup> Floor  
Boston, MA 02108

**RE: Edward J. Sullivan Courthouse**

Dear Commissioner Suuberg,

I am writing today with respect to the current status of the former Sullivan Courthouse at 40 Thorndike Street in East Cambridge as a potential source of hazardous material release known to contain asbestos that appears to have deteriorated and to have migrated beyond the envelope of the structure. It was recently reported by a resident, and stated to our City Council, that material later found to contain 30% asbestos (ACM) was present in an area that was open to the outside and may have been present outside the Courthouse building on Friday evening, August 31. It is our understanding that the DEP Emergency Response team were on site that afternoon and arranged for a contractor, NRC Environmental, to complete the safe collection of material that may have been ACM near this entrance of this gated bay door. We have been told that DEP staff then directed the complete closure of the bay door entrance with plywood and polyethylene sheeting.

This response was rapid, professional, and appreciated by the City, but several questions remain unanswered. I respectfully request a brief written response to the following items and look forward to working directly with DEP staff to demonstrate to neighbors that no harmful materials will be released and that this building will remain under full containment until complete remediation of hazards can be completed.

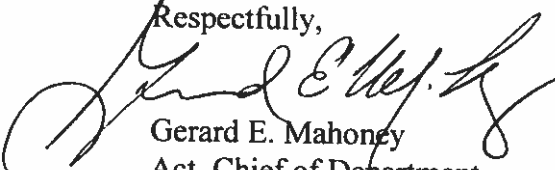
- 1) After a visual perimeter inspection by DEP personnel on Wednesday, September 4<sup>th</sup> after the bay door was sealed with plywood and plastic sheeting our staff was assured that the building was properly secured to prevent further release of ACM. It has also been noted that there appear to be some windows at higher floors that are no longer in place and there

may also be some gaps in the envelope of the building at the ground level. **I am requesting a summary of the conclusions arrived at by DEP staff or their contractor regarding complete containment of all ACM inside the structure. I request that this assessment consider both the risk of airborne releases from degraded ACM as well as the possible migration of ACM in water that traveled off-premises during extensive flooding after pipes within the building burst on one of several occasions since 2014.**

- 2) The condition of this property has deteriorated over the period of time since it was first vacated and transferred to DCAMM control in 2014. Given the history of steam leaks and off-site migration of water from the HVAC system there is considerable concern that further degradation of the envelope will allow ACM and possibly other hazards to travel off-site. **I am requesting a summary of immediate measures to be taken by DEP to enforce proper containment at this site, particularly in light of the uncertain timeframe for transfer of ownership and complete remediation of known hazards. I am specifically requesting that the DEP issue a consent order to ensure that the property is maintained in a state that poses no hazardous risk to the community.**
- 3) Finally, some serious questions remain about the possibility that friable ACM may be now present on the outside of the building because of unsealed doors, missing windows and run-off from internal pipes that have burst. **I am requesting that DEP institute airborne perimeter testing for asbestos fibers for an appropriate period of time and conduct selective soil testing to establish that no ACM or asbestos is present outside of this structure.**

In order to comply with the requests of our City Council about the high level of concern expressed by members of the community, I would greatly appreciate receiving an acknowledgement and initial response to this letter by close of business on Friday, September 13, 2019.

Respectfully,



Gerard E. Mahoney  
Act. Chief of Department