

TLT among state's 'Dirty Dozen'

Environmentalists target BHS contractor for alleged health threats

By Melissa Solomon
TAB Staff Writer

Standing before the fenced-off construction site at Brookline High School, the Toxics Action Center "honored" TLT Construction Corp., the general contractor for the BHS renovation, with one of its Dirty Dozen Awards.

The awards are being presented to the Toxics Action Center's choices for the 12 worst public health and environmental threats to communities across the state. Last Friday, Matt Wilson of the Toxics Action Center presented a Rotten Apple award to TLT "to highlight the threat that its work poses to students, teachers ... and their own workers." He called for TLT to pay more attention and put more resources into health and safety, for a re-examination of the state's low-bid law and for municipalities to aggressively oversee renovations at schools and other public buildings.

But TLT officials said the Toxics Action Center is unjustly targeting the company.

"I can understand these people's concerns," said Lee MacPhee, an attorney for TLT who stood by to watch Friday's presentation. But, he added, "Their assumptions are based on misconceptions."

TLT has been the scapegoat for problems that have occurred at the BHS construction site, said MacPhee, when, in fact, the problems were caused by work done by filed subcontractors that were hired by the town.

Ken Tarbell, executive vice president for TLT, explained that TLT's hands are tied when it comes to filed subcontractors, because the state requires that the owners of public construction projects choose the lowest bidder.

"Bottom line is unless they've done something really bad, you have to carry them," Tarbell said.



PHOTO BY JEFF CROWIE

(From left) Brookline High School student Nina Lessin-Joseph; her mother, Nancy Lessin of the Massachusetts Coalition for Occupational Safety and Health; Tolle Graham of MassCOSH; and Matt Wilson of the Toxics Action Center speak about problems with the Brookline High School construction project and alleged environmental violations throughout the state by TLT Construction Corp.

In October, the U.S. Department of Labor's Occupational Safety and Health Administration issued a three-part citation with a \$3,600 penalty to TLT after investigating a Sept. 10 incident in which silica, a known carcinogen, was released at the high school from saw cutting in the basement. On Oct. 21, a similar incident was reported in the same area.

Nancy Lessin of the Massachusetts Coalition for Safety and Health and her daughter, Nina Lessin-Joseph, a BHS student, stood by Wilson during his presentation. Lessin first alerted school officials to the dan-

ger of silica exposure.

"A company that cannot even protect the health and safety of its own workers is problematic for us as parents because how can we ensure the health and safety of our children," said Lessin.

Lessin said she has heard from several parents concerned for their children's safety.

Robin Koocher told The TAB that her daughter, Abby, became sick on Nov. 19 from what she believes were chemicals in an acrylic paint used at the construction site.

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After suffering from burning eyes, congestion, weakness and exhaustion, she took her daughter to her pediatrician, who wrote that Abby was "seen for a probable allergic reaction to inhaled chemicals at school."

"It scared me," said Robin Koocher. "It really did ... It was a wake-up call to me to find out what was going on."

Tony Guigli, BHS project manager representative, issued a prepared statement detailing safety precautions being taken by project officials.

"The town is committed to continue the careful management of

every aspect of the construction and renovation of the high school complex," he wrote.

The Brookline High School construction project, a \$43.8 million renovation, is slated for completion in 1999.

Tolle Graham, also of MassCOSH, listed several reforms she would like to see in school construction projects, including: separate construction areas with barriers surrounding them; communication and coordination about processes with building occupants; and a re-examination of the state's low-bid law for public projects. The low bids drive the costs down, she said, and the first things cut are health and safety.

Tarbell said he suspects his company is being targeted because of the large number of public projects it handles, and because of Lessin's close ties to the Toxics Action Center.

"I think a lot of that comes from one very concerned parent," he said. "I believe that she has some contacts within this action committee."

Another reason the company has received strong criticism lately, said Tarbell, is because it is one of several defendants in an ongoing high-

profile lawsuit by the state alleging that a renovation of the Suffolk County Courthouse in Boston made several workers sick. But the materials for the courthouse project were chosen by the architect, Tarbell explained.

Many of the incidents the Toxic Action Center cited to illustrate TLT's alleged poor health and safety record were the result of very strict orders TLT is forced to follow, said Tarbell. In Brookline, for instance, it was the required low-bid subcontractor that caused the problem, and with the courthouse, as well as other projects, such as one at Gloucester High School, it was specific instructions from architects about which materials to use.

TLT is one of the only organizations that does all public work, Tarbell said, which is why it gets such close scrutiny. But, he said, the company has completed scores of projects throughout New England without any problems.

"For over 20 years, we've done only public work and we've done it successfully," he said.

TLT has been a family-owned business since 1976, Tarbell said.

The company, which does

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predominantly public jobs in New England, has approximately 180 employees. TLT sales are an estimated \$90 million a year, according to Tarbell.

The Toxics Action Center is a Boston-based environmental organization. The winners of the Dirty Dozen Award were chosen by representatives of the Massachusetts Public Interest Research Group, Physicians for Social Responsibility, Western Massachusetts Coalition for Safety and Health, Alternatives for Community & Environment, the Work Environment Department at the University of Massachusetts at Lowell and the Toxics Action Center. □