

## 10. Enforcement and State authorization

In summary, a solid book and as advertised a comprehensive explanation of a complex law. I strongly recommend this book to anyone involved with hazardous waste, especially to non-experts (by my definition someone who does not spend 100% of his/her time on hazardous waste issues).

GARY F. BENNETT

*Safe Laboratories: Principles and Practices for Design and Remodeling*, by P.C. Ashbrook and M.M. Renfield (Eds.), Lewis Publishers, Chelsea, MI, 1990, ISBN 0-87371-200-5, 166 pp., \$49.95.

The editors writing in the preface describe their purpose for the book and its contents clearly (and much better than I could):

“As indicated by the title, the intent of this book is to introduce the reader to basic concepts in the design of safe laboratories. Section I presents general perspectives from three different, but each important, interested parties, in the design process. General issues, such as codes, ventilation, plumbing, and chemical waste are presented in Section II. Because ventilation is so frequently the source of problems in laboratories, the topic is explained in detail in Section III. Section IV contains chapters on both new and remodeled facilities, ranging in complexity from small business and high school laboratories to a highly complex chemical containment facility. The fifth section consists of a chapter that ties much of the earlier material together with the message that communication is essential throughout the project.”

There were 22 contributors (in single and multi-authored chapters) in the book. Ten of the chapters are based on papers presented at 1988 American Chemical Society's Committee on Chemical Safety symposium held in Los Angeles. All together, the papers develop the philosophy of involving the users in the design for and planning of safe laboratories. Numerous examples are given of both good and bad design. The book should be required reading for someone planning new facilities, especially the architects in charge of design.

GARY F. BENNETT

*The Environmental Handbook for Property Transfer and Funding*, by M.K. Prescott and D.S. Brossman, Lewis Publishers, Chelsea, MI, 1990, ISBN 0-87371-360-5, 125 pp., \$49.95.

Of all the technical papers I read, the most common topics are those dealing with “contaminated property — site evaluation — risk assessment”, the ubiq-

uitous presence of contaminated industrial properties and the Superfund Law (CERCLA), which was passed by the U.S. Congress to deal with this very significant problem. CERCLA has radically changed the real estate practices in the United States. No one wants to acquire (without prior knowledge and evaluation) contaminated real estate. No one – the seller, the buyer or the lender is safe in such a transaction. Not even banks during foreclosure. Thus site assessment, prior to sale of a parcel of property and (or even lending of money for a mortgage) is clearly prudent — but what to do and how far to go — and what do the results mean? These are the subjects of this excellent book. After a brief introductory chapter, the authors (one of whom is an attorney) discuss the legislative and judicial background property transfer and financing (Chapter 2). Also covered in this chapter are state laws — such as New Jersey’s pioneering ECRA law which requires investigation and potentially cleanup under state supervision prior to transfer of industrial contaminated property.

The Superfund Law and its amendments, as well as U.S. EPA policy, have provided a potential defense to cleanup liability through appropriate inquiry into past uses of the property and investigation of the site. Chapter 3 of this book discusses the scope of this defense and how to best insure that a proper defense could be established. The key to the definition of an adequate study of the property is a good environmental site assessment. The scope of this site assessment and factors to consider in contracting for one are discussed in Chapter 4.

Once the site assessment has been completed, comes the challenging task of interpreting the consultant’s report. This is the topic of Chapter 5 which also provides multimedia standards to allow the prospective purchaser and other parties to translate, understand and evaluate the results of the site assessment report. This is a very useful discussion because contaminants are almost always present from auto exhaust-deposited lead to naturally occurring lead. Both may present a problem depending on the concentration and regulatory standards. So one needs standards (data) to measure one’s results against to decide whether one has, or does not have, a problem.

Chapter 5 also includes examples of some potential environmental liabilities that are likely to be encountered. Chapter 6 relates the site assessment prior to the transaction and provides alternatives which may allow the transaction to be considered in spite of potential environmental problems. This chapter also provides methods for protecting the interests of the buyer, seller and lender.

Chapter 7 presents five hypothetical case studies with diverse scenarios, site assessment needs, results of the assessment and potential impact. The Titles of the case studies illustrate their scope:

1. Manufacturing company applies for a loan to expand facilities
2. Corporation seeks to acquire a manufacturing plant
3. Corporation seeks to acquire another corporation
4. Commercial property owner has tenants that handle hazardous materials