



# City of Cambridge

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FIRST IN COUNCIL  
December 9, 2024

COUNCILLOR NOLAN  
COUNCILLOR ZUSY

WHEREAS: The [Cambridge Asbestos Protection Ordinance, Chapter 8.61](#), was passed unanimously by the Cambridge City Council in 1999 in order to protect Cambridge residents from the hazards of asbestos, and was designed to fill in the gaps left by state and federal standards involving air pollution; and

WHEREAS: At the time of its passing, the [Cambridge Asbestos Protection Ordinance \(CAPO\)](#) was the first of its kind in the nation and filled an important loophole in state and federal law, which only regulated asbestos in buildings and enclosed areas, rather than in the soil and open areas; and

WHEREAS: Asbestos is a particularly dangerous contaminant because:

- Asbestos does not degrade in the environment; if inadvertently carried offsite, it may remain there as a threat for later exposure;
- Once lodged in the body, asbestos fibers remain as a carcinogenic irritant without being cleared, and adding to the cumulative lifetime exposure; the effects last long after the incident which caused exposure has ended;
- Asbestos has been repeatedly and irrefutably proven to cause a cancer in humans called mesothelioma and is painful and causes death within a few months, with no known cure;
- No level of exposure has been shown to be safe, despite numerous studies;

As such, there are very strict laws concerning the removal and disturbance of asbestos products in buildings, and in general, if asbestos is not in a form that is a current health risk, it is often advised to leave it undisturbed rather than creating a potentially very serious risk; and

WHEREAS: CAPO defines asbestos contaminated soil, and disruptive activities that would be covered by the ordinance; the property owner would be required to either:

- Place a structure (e.g. a tent) over the area where contaminated soil will be disrupted while the activities take place; or
- Cover the area with clean fill so that the contaminated soil will not be disturbed during construction activities;

These provisions match the regulation of asbestos containing materials in buildings; and

WHEREAS: On Monday, September 30, the MBTA held its first public meeting for an improvement to tunnel access for red line maintenance and concerns were raised about the tunnel's location on a highly contaminated area; and

WHEREAS: To protect the community and future residents from harmful asbestos exposure, it is essential that construction projects on all potentially contaminated sites follow safety rules and regulations promulgated by federal, state, and local authorities; now therefore be it

ORDERED: That the City Manager be and hereby is requested to work with relevant City departments and encourage the state Massachusetts Department of Environmental Protection and the MBTA to adhere to our local ordinances, including the Cambridge Asbestos Protection Ordinance, during the project; and be it further

ORDERED: That the City Manager be and hereby is requested to report back to the City Council by December 2024; and be it further

ORDERED: That the City Clerk be and hereby is requested to forward a suitably engrossed copy of this policy order to the Cambridge delegation and to the MBTA on behalf of the entire City Council.

In City Council December 9, 2024.

Adopted by a ye and nay vote:-

Yeas 9; Nays 0; Absent 0.

Attest:- Diane P. LeBlanc, City Clerk

A true copy;

ATTEST:-



Diane P. LeBlanc,  
City Clerk

**History:**

**11/25/24 City Council**  
**12/02/24 City Council**

**PLACED ON THE TABLE**  
**NO ACTION TAKEN**

**Next: 12/02/24**  
**Next: 12/09/24**