

# HAZARDOUS BUILDING MATERIALS FORUM

- *Proposed Changes to Regulatory Requirements*
- *Code of Practice Guidelines* • *Legal and Policy Updates*

May 3 – 4, 2004 • The Holiday Inn on King • Toronto

*Learn how to navigate the changing regulatory terrain for hazardous materials that impact existing buildings and new construction. Do not miss this opportunity to gain valuable information on environmental solutions, best practices, risk management, and legal strategies. Hear from industry experts on:*

- Updates on amendments to Occupational Exposure Limits in Ontario
- Latest consultation with industry on regulatory changes
- Ministry of Labour Enforcement Strategy 04/05
- The role of codes of practice in an enforcement regime
- New PCB regulations and deadlines for PCB removal
- New standards that redefine due diligence in mould assessment and control
- Duties and responsibilities for building owners
- Canadian and American case law and initial mould response strategy
- Mould prevention and asbestos management measures
- New approaches for health effects and indoor air quality complaints
- Quantifying the cost and minimizing the risk posed by hazardous materials in buildings
- The extent of protection for builders, developers, lenders and future owners under Brownfields laws
- Insurance: policy exclusions to watch for and risk management tactics
- Corporate and personal exposure to liability
- Sensitive site solutions for hospital and school buildings

*and much more...*

**POST-CONFERENCE WORKSHOP – WEDNESDAY, MAY 5, 2004**

**Mould Solutions: Practical Strategies for Addressing Mould and Moisture in the Built Environment**

**Kristine White and Graeme Scott, P.Eng.**  
*Jacques Whitford Environment Limited*

**ENROLL TODAY!**

Call 1-888-777-1707 or fax 1-866-777-1292 or register online at [www.insightinfo.com](http://www.insightinfo.com)

**PROGRAM CO-CHAIRS**

**Don Pinchin, Ph.D.**  
*President*  
*Pinchin Environmental Ltd.*

**Richard Shaban, L.L.B.**  
*Partner*  
*Borden Ladner Gervais LLP*

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## WHO SHOULD ATTEND

- *Senior Executives, VPs, Managers and In-house Counsel in:*
  - Construction
  - Property Development and Management
  - Commercial and Residential Real Estate
  - Insurance
  - School Boards
  - Hospitals
  - Food Processing and Manufacturing
- *Directors and Managers in Environment and Safety, Facilities, Building Operations, and Risk Management*
- *Federal, Provincial and Municipal Government Officials*
- *Government Policy Advisors*
- *Environmental Consultants and Lawyers*
- *Environmental Compliance Officers and Scientists*
- *Commercial and Residential Claims Managers*
- *Civil and Consulting Engineers*
- *Corporate and Commercial Lawyers*
- *Occupational Health and Safety Officers*
- *Medical Health Officers and Health Inspectors*
- *Real Estate Developers and Agents*
- *Industry Suppliers and Contractors*

Dear Colleague,

For renovation, demolition and sale of existing buildings and even in the construction of new buildings, hazardous building materials continue to be the cause of major concern and financial loss. This impacts all those in the building industries and those who own and manage these sites, especially "sensitive sites" such as schools and hospitals. Older materials such as asbestos, lead and PCBs, or newer issues such as mould and indoor air quality have created serious liability and cost challenges for construction and property management stakeholders. The management or removal of such materials continues to be the subject of intense public, media and government scrutiny and poses serious legal and practical challenges for those attempting to address these problems.

**Insight Information Co.** has assembled a roster of leading environmental consultants, building professionals, regulators and legal experts to bring you recent developments and to help you address challenges facing the building industry in its management of these issues. Their expertise will help provide solutions on the effective management of hazardous materials and how to contain the impact on employees, clients and purchasers. **Does your organization have a planning strategy to cope with the current demands and future pressures for finding better solutions to healthy building management? Are you aware of the corporate and personal liability risks and the obligations you face under regulatory changes? Do you know how these developments will impact key stakeholders and how you can best meet these new requirements?**

As a delegate, you will be given the opportunity to address questions to each speaker during the session and informally during the breaks. The conference materials prepared for you will also prove to be a valuable reference and resource guide in the future.

Please join your colleagues and expert faculty at this timely and informative event. We look forward to meeting you and addressing your most pressing concerns!

Sincerely,

Donald Pinchin, B.Sc., M.A.Sc., Ph.D.  
President  
Pinchin Environmental Ltd.

Richard Shaban, B.H.K. (Hons), L.L.B.  
Partner  
Borden Ladner Gervais LLP

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*Delegates will receive a set of original materials that will serve as a valuable reference source after the program.*

# MONDAY

MAY 3, 2004

8:15 **Registration and Continental Breakfast**

9:00 **Welcoming Remarks From Insight Information Co.**

9:05 **Co-Chairs' Opening Remarks**

**Don Pinchin, Ph.D.**  
*President*  
*Pinchin Environmental Ltd.*

**Richard Shaban, L.L.B.**  
*Partner*  
*Borden Ladner Gervais LLP*

9:15 **Policy Update: Updating Occupational Exposure Limits in Ontario and Code of Practice As An Option For Regulation**

**John Vander Doelen**  
*Director, Workplace Insurance*  
*Health and Safety Policy Branch*  
*Ministry of Labour*

**Dr. Shal Gewurtz**  
*Provincial Coordinator, Code of Practice*  
*Occupational Health and Safety Branch*  
*Ministry of Labour*

- Updates on amendments to Occupational Exposure Limits in Ontario
- Consultation with industry on regulatory changes
- Performance versus specification requirements
- The role of codes of practice in an enforcement regime

10:15 **Coffee Break**

10:30 **Topical Issues in Investigation and Enforcement**

**Filomena Savoia**  
*Provincial Coordinator, Construction*  
*Health and Safety*  
*Occupational Health and Safety Branch*  
*Ministry of Labour*

- Occupational illness and diseases for the construction industry
- Duties and responsibilities for building owners
- Ministry of Labour Enforcement Strategy 04/05
- Non-compliance issues

11:15 **Emerging Standards in Mould Control**

**Bruce Stewart, B.Sc., D.O.H.S., CIH ROH**  
*Senior Vice President*  
*Pinchin Environmental Ltd.*

*New standards that redefine due diligence in mould assessment and control:*

- Canadian Construction Association, Mould Guidelines for the Canadian Construction Industry
- Environmental Abatement Council of Ontario, Mould Remediation Guidelines
- IICRC S520, Standard and Reference Guide for Professional Mould Remediation

12:00 **Networking Luncheon**

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1:00 **Luncheon Address: Why Hazardous Materials Management is Important to the Contractor?**

**Clare Francis, CRSP** (invited)  
*District Loss Prevention Manager (Toronto)*  
*PCL Constructors Canada Inc.*

1:30 **The Effects of Hazardous Building Materials on Indoor Air Quality**

**Andreas Wagner, M.Eng., CIH ROH**  
*President*  
*T. Harris Environmental Management Inc.*

- General Indoor Air Quality (IAQ) issues
- Hazardous building materials and IAQ
- Health effects and IAQ complaints
- Traditional assessment approaches
- New and emerging approaches
- Resolving IAQ problems

2:30 **Ontario's New Brownfield Legislation: Legal Issues and Strategies for Redeveloping on Contaminated Sites, and Decommissioning Brownfield Buildings**

**Donna S.K. Shier**  
*Partner*  
*Willms & Shier Environmental Lawyers*

**Shawn Murray, P.Eng.**  
*President*  
*Murray Demolition Corp.*

- When will clean-up be required or construction be prohibited under new Brownfields laws
- Is demolition required whenever a Brownfields clean-up is necessary?
- What is the extent of protection for builders, developers, lenders and future owners under Brownfields laws?
- De-industrialization of North America
- Effect of the insurance industry on the decommissioning business
- Evolution of demolition equipment
- Brownfield decommissioning – demolition process

3:15 **Refreshment Break**

3:30 **New PCB Regulations, Their Impact, and PCB Transformer Replacement**

**Eric A. H. Smith, Ph.D.**  
*President*  
*PCB Disposal Inc.*

- Deadlines for removal of PCBs
- Sensitive sites
- High level versus low level PCBs
- Storage versus destruction and phase-out strategies
- Financial impact and importance of lead time
- Coordination of all parties involved
- MOE notifications and approval
- Overcoming site challenges - high rise buildings
- Removal and disposal of Askarel and Transformer
- Certificate of destruction
- Site decommissioning

**4:15 Building Structures: Proper Protocols and Effective Solutions for Mould and Asbestos Remediations**

**Fred Topley**

*Senior Project Manager  
Greenspoon Specialty Contracting, Ltd*

- Asbestos and mould remediation plan
- Mould remediation procedures
- Mould prevention
- Asbestos abatement procedures
- Asbestos management

**5:00 Conference Adjourns for the Day**

# TUESDAY

MAY 4, 2004

**8:30 Continental Breakfast**

**9:00 Co-Chairs' Opening Remarks**

**9:15 Quantifying the Financial and Legal Liabilities and Assessing the Risks of Hazardous Materials in Buildings**

**Don Pinchin, B.Sc., M.A.Sc., Ph.D.**

*President  
Pinchin Group of Companies*

**C.W. Daniel Kirby**

*Partner  
Osler, Hoskin & Harcourt LLP*

- Operational and financial risks:
  - what hazardous materials pose a significant operational and financial risk? Which are not a major concern in operations or building transfer?
  - evaluation of building characteristics, age and uses that indicate a significant risk of encountering hazardous materials?
  - cost to quantify and minimize the uncertainty hazardous materials in buildings will pose
  - the buildings or the subsurface conditions - where is the real risk?
- Legal and contractual risks of hazardous materials
  - what are the common law risks?
  - what are the regulatory risks?
  - risks for landlords, tenants and employers
  - how can you manage your risks?

**10:30 Coffee Break**

**10:45 Mould - Insuring a Growing Concern**

**Barry Smith**

*Vice President  
Marsh Canada Limited*

- Industry trends
- Claims/lawsuits that have emerged
- Insurance exclusions
- Dedicated environmental coverage

- What insurance is available for owners, consultants, architects/engineers, and contractors
- Risk management

**11:30 Understanding Corporate and Personal Liability Under Environmental and Occupational Health and Safety Laws**

**Gabrielle Kramer**

*Partner  
Borden Ladner Gervais LLP*

- Corporate exposure to liability
- Personal exposure to liability
- Responding to orders and charges
- Demonstrating due diligence

**12:15 Networking Luncheon**

**1:15 Luncheon Address: Energy and Environmental Property Performance Assessment**

**R.Wayne Proulx**

*Manager, Energy and Environmental Services  
GWL Realty Advisors Inc.  
Chair, Energy and Environment Committee  
Building Owners and Managers Association  
of Greater Toronto*

**1:45 Special Consideration Required for Biological Agents in Decontaminating and Decommissioning Hospitals**

**Anne Monteath**

*Risk Manager, RSO  
Research Administration  
The Hospital for Sick Children*

- Potential reservoirs of biological agents
- Risk assessment
- Who should be involved
- Isolation and decontamination of contaminated equipment or sites
- Protection of patients, visitors, staff and the environment
- Quality assurance issues

**2:30 Refreshment Break**

**2:45 Building Problems Equal Mould Issues - School Facilities Case Study and Building Science**

**Graeme Scott, M.A.Sc., P.Eng.**

*National Service Director,  
Facility Assessment and Renewal  
Jacques Whitford Environment Limited*

- Mould is a symptom of building condition problems: what are the common building condition problems that lead to mould issues?
- Varying indoor conditions and uses + limited funding = assembly occupancies such as schools are particularly susceptible to mould problems
- How can mould issues be prevented in schools and other buildings through better construction, operation and maintenance of the building system

SENSITIVE SITE 1

SENSITIVE SITE 2

**3:30 Packaging Your Mould Case for Success -  
A Legal and Practical Guide**

**James W. Maclellan**

*Partner*

**Borden Ladner Gervais LLP**

- Canadian and American case law
- Initial mould response strategy
- Identifying experts
- Identifying defendants
- Other lessons learned

**4:15 Closing Remarks From Co-Chairs'  
and Conference Ends**

**Comments From Hazardous  
Building Materials Forum in Calgary:**

**" Increased overall knowledge regarding mould  
and asbestos."**

*Tim Waters, WA Environmental Services Ltd.*

**" A better awareness of environmental conditions  
and hazmat. To think outside the box."**

*Robert Stirling, Alberta Infrastructure*

**POST-CONFERENCE WORKSHOP – WEDNESDAY, MAY 5, 2004**

**Mould Solutions: Practical Strategies for Addressing Mould and Moisture in the Built Environment**

**Kristine White, B.A.**

*National Practice Director for Mould*

**Jacques Whitford Environment Limited**

**Graeme Scott, M.A.Sc., P.Eng.**

*National Service Director,*

*Facility Assessment and Renewal*

**Jacques Whitford Environment Limited**

*Jacques Whitford Mould Solutions Workshop will review current practices for mould investigations and remediations and examine the building problems that lead to mould growth within our structures. By placing emphasis on mitigating mould as a symptom of building-related issues, mould and building science experts will provide full-service solutions to prevent moisture and mould growth in buildings.*

*This hands-on workshop will provide attendees with the tools needed to have a clear understanding of mould problems when they arise and how they need to address the situation. Practical solutions will be illustrated through case studies that include the following topics:*

- An introduction to mould and review of current issues
- Application of current literature and guidelines
- Design of a mould investigation and building condition review
- Common building deficiencies which lead to mould growth
- Examples of successful mould abatement programs from project design to communication strategies and through tendering and construction phases
- Looking forward – mould prevention, preventative maintenance, and mould management programs

***Kristine White is National Practice Director for Mould with Jacques Whitford Environment Limited** where she is responsible for quality assurance/quality control of mould projects across Canada. She has over six years of focused mould assessment and remediation experience, having performed hundreds of mould inspections for a wide range of clients, including school systems, hospitals, prisons, offices, warehousing, manufacturing and retail establishments. She recently provided inspector training and mould expertise to a large U.S. based insurance firm. She is the author of a mould management program for a federal government property. The program includes development of policies and procedures for managing mould issues at a site with over 400 residential properties. Standardized procedures are included for visual and intrusive investigations, tenant re-location plans, and remediation activities.*

***Graeme Scott is National Service Director, Facility Assessment and Renewal with Jacques Whitford Environment Limited.** As a building envelope specialist and structural engineer, he has specialized in the design, evaluation and repair of structures and building envelopes for 15 years. And as Corporate Service Director of Facility Assessment & Renewal, he helps to coordinate and lead auditing, evaluation and repair technology across Canada and is licensed to practice professional engineering in Ontario, Nova Scotia and British Columbia. His experience includes the design of steel, masonry, concrete and specialty aluminum structures, and the investigation and repair of conventionally reinforced, pre-cast, pre-stressed and post-tensioned concrete structures used in parking garages/parkades and multi-storey buildings. Also, Mr. Scott is a specialist in the design, evaluation and repair of windows, window/walls and curtain walls, roofing, lightweight metal and EIFS cladding, and masonry assemblies, including the evaluation and repair of historic stone and masonry systems. Prior to joining Jacques Whitford, Graeme was a project manager, project principal and technical knowledge manager for building science and structural repair projects for one of Canada's leading structural engineering and building science firms.*

Insight Information Co. presents

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- Proposed Changes to Regulatory Requirements
- Code of Practice Guidelines • Legal and Policy Updates

May 3 – 4, 2004 • The Holiday Inn on King • Toronto

**Yes!** Please register the following delegate(s) (photocopy for additional delegates)

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2. Fax:  1-866-777-1292
3. Mail:  *Insight Information Co., 214 King Street West, Suite 300, Toronto, Ontario M5H 3S6*
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## HOTEL RESERVATIONS:

The Holiday Inn on King is located at 370 King Street West, Toronto, ON. For overnight accommodation please contact the hotel at 416-599-4000 or by fax at 416-599-7394.

## CANCELLATION AND REFUND POLICY:

Refunds will be given for cancellations received in writing by **April 12, 2004** date subject to an administration fee of \$200.00 plus \$14.00 GST for a total of \$214.00.

If your fees have not been paid and you are cancelling, you are still liable for the cancellation fees of \$200.00 plus \$14.00 GST for a total of \$214.00. Please note that if you register for the conference and do not attend, you are liable for the full registration fee unless you cancel within the period stated above.

If you register after **April 12, 2004**, your order is firm. A refund will not be given, however a delegate substitution is welcome at any time.

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## INSIGHT ORDER FORM

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*(Includes conference sessions, lunches, coffee breaks, documentation)*

Please check your choice:

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- Regular Conference Price:** \$1,495.00 + GST (\$104.65) = \$1,599.65
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