

Permissible Exposure Limits” A Toxic, Secret Legal Practice Used by Builders

[Betty Mitchell](#)

FDM at LIVEADE

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When Sacramento Housing and Redevelopment Agency (SHRA) contracted McCormack Baron Salazar (MBS) to develop Mirasol Village, a Choice Neighborhoods Initiative by Housing and Urban Development (HUD), our nightmare began.

Mirasol Village is a residential project in Sacramento, CA, that aims to provide affordable housing, primarily under HUD's Choice Neighborhoods Initiative. This initiative is meant to revitalize communities and enhance living conditions for residents suffering substandard housing and housing insecurities that often lead to chronic disease, exposure to toxins, injuries, and child development loss. On the surface, it looks like a positive advancement. However, beneath this development lies a troubling reality of safety and compliance issues. The site chosen for Mirasol Village was formerly part of the Dos Rios Projects, notorious for neglect and decay. Despite its intentions, the construction practices employed raise significant health concerns for those who will call this community home.

Understanding Chlordane: The Indestructible Pesticide

Chlordane, an indestructible pesticide banned in the United States since 1988, was widely used in the past for pest control in residential areas, particularly in federal housing. This chemical is resistant to breaking down in the environment, which means it can linger in soil and dust for decades. As a result of this persistence, sites that were once federal housing structures, like those at Mirasol Village Projects, still harbor levels of the substance. Unaware of these risks, current residents may be exposed to dangerous levels of Chlordane, leading to long-term health consequences.

The Role of HUD and Public Funding in Housing Development

The U.S. Department of Housing and Urban Development (HUD) is pivotal in financing affordable housing to support low-income communities across the country. However, this funding can create dilemmas regarding regulatory oversight. The pressure to cut costs often leads to legal but hazardous decisions. Developers can leverage established permissible exposure limits to circumvent costly remediation efforts, making financial

gains at the expense of community health. This raises the urgent question of whether the economic advantages are worth the potential peril to residents.

Environmental Concerns: Toxicity Reports from Sacramento Housing and Redevelopment Agency

The Sacramento Housing and Redevelopment Agency conducted environmental assessments before constructing Mirasol Village. Unfortunately, documents reveal alarming findings. Reports indicated elevated levels of Chlordane and other volatile organic compounds in the soil. Yet, these issues did not halt construction. Outdated permissible exposure limits allowed the project to proceed with minimal remediation. Such regulatory loopholes disadvantage workers and future residents. The consequences of these decisions could be dire, affecting public health and the environment.

"OSHA recognizes that many of its permissible exposure limits (PELs) are outdated and inadequate for ensuring protection of worker health. Most of OSHA's PELs were issued shortly after adoption of the Occupational Safety and Health (OSH) Act in 1970 and have not been updated since that time."

The Cost of Remediation vs. Legal Practices in Construction

Remediating toxic soil is often prohibitively expensive, and the costs could escalate into the millions for a large-scale development such as Mirasol Village. Developers inevitably face pressure to minimize expenditures, and this financial strain leads many to find legal loopholes that permit them to build without adequate soil cleanup. However, developers can avoid costly and time-consuming remediation by simply adhering to old permissible exposure limits. This highlights a moral dilemma and reflects a systemic issue within the regulatory framework governing housing construction.

Case Study: Liveade Wellness Inc. and the Impact of Contaminated Soil

Liveade Wellness Inc., an indoor, incubated cannabis facility, faced the fallout from the construction of Mirasol Village. Situated directly across from the project, the business regularly tested its products for safety. Upon discovering that its cannabis was contaminated with Chlordane, Liveade was forced to shut down, resulting in significant financial losses. The situation exemplifies how seemingly unrelated construction projects can have disastrous consequences for local businesses. Companies like Liveade have few options when public health standards are overlooked, raising urgent questions about accountability in such developments.

Uncovering the Toxic Legacy of Chlordane: A Banned Indestructible Pesticide

The Mirasol Village housing project in Sacramento, California, is touted as part of an initiative to revitalize low-income neighborhoods. However, beneath the surface of this endeavor lies a troubling legacy. Many are unaware that the land chosen for Mirasol Village has Chlordane contamination, a highly toxic indestructible pesticide banned for commercial and residential use. Once a site for military housing, the ground has a history reflecting community development and significant health risks.

The Sacramento Housing and Redevelopment Agency (SHRA) partnered with key developers to create this 427-unit complex. Their intentions seemed noble at first glance. Yet, as environmental testing reveals alarming levels of pollutants in the soil, questions arise about the safety of this project. Are the benefits of new housing worth the potential hazards to community health?

Understanding Chlordane: The Indestructible Pesticide's Dark History

Chlordane is notorious for its persistence in the environment and its link to severe health issues, including cancer. Used extensively in the mid-20th century, it penetrated the soil to treat termites and other pests. The pesticide was a long-buried, indestructible toxin in structures that later served as low-income housing. As decades passed, regulatory bodies began recognizing the dangers associated with Chlordane, leading to its ban in commercial and residential areas.

The consequences of this legacy are particularly troubling. Health experts warn that even small amounts of Chlordane can pose significant risks. Children playing outdoors or families enjoying time in public spaces may inadvertently expose themselves to this hazard. The environmental toll becomes a pressing concern, especially given the project's intimate proximity to local schools and parks.

The Players Involved: Key Stakeholders Behind Mirasol Village

Several stakeholders are involved in operating and developing Mirasol Village. Notable names include McCormack Baron Salazar, a developer with a prominent role in the HUD Choice Neighborhoods Initiative, Sacramento Housing and Redevelopment Agency, and local firms Teichert Construction and Midstate Construction. Together, these organizations have received significant federal funding to advance the project. This collaboration has placed them under scrutiny regarding their ethical and environmental responsibilities.

The community trusts these entities, which ensure the construction of housing and the environment's safety. However, as disturbing information about contamination surfaces, these stakeholders face growing questions regarding their methods and accountability.

Environmental Oversight: The Role of SHRA and HUD in Public Health Safety

The Sacramento Housing and Redevelopment Agency (SHRA) and Housing and Urban Development (HUD) have crucial roles in overseeing developments like Mirasol Village. Their responsibilities extend beyond mere construction; they must also consider public health. Environmental assessments guide these agencies. However, outdated permissible exposure limits have enabled practices that might otherwise raise red flags.

Critics point to a lack of rigorous enforcement of safety standards. The federal standards that govern public health in construction projects are facing scrutiny for being outdated and insufficient. These lapses reveal potential oversight failures that could lead to community harm.

Contaminated Ground: What Testing Reveals About Mirasol's Soil

Testing has unveiled alarming evidence of Chlordane in the soil beneath Mirasol Village. Independent toxicology reports indicate that soil samples from the children's playground and between structures showed levels far exceeding MBS and SHRA tests.

Our Story: Bankrupting a Minority-Disadvantaged Business

Businesses nearby, like the indoor cannabis facility LIVEADE WELLNESS, Inc., have documented serious consequences from this contamination. As toxic dust spreads, it jeopardizes health and economic stability in the community

Fugitive Dust and Its Impact: A Case Study on Local Businesses

The construction of Mirasol Village has caused considerable disturbance. Excavation activities have kicked up fugitive dust, laden with hazardous particles, affecting air quality around the site. Local businesses report significant impacts, including the need for extensive cleaning due to dust accumulation. This has posed challenges for enterprises, particularly those relying on clean operating environments, such as indoor cannabis growers.

A case in point is LIVEADE WELLNESS, Inc., which suffered severe financial setbacks due to contamination related to Mirasol Village. The cannabis facility faced challenges meeting California's strict standards for pesticide-free products. Ultimately, this situation

left the business bankrupt, demonstrating the broader economic implications of environmental negligence.

Legal Loopholes: How Outdated Regulations Enable Hazardous Practices

Legal frameworks surrounding environmental safety have yet to keep pace with emerging data about toxins like Chlordane. While developers can legally construct on contaminated land if they adhere to outdated permissible exposure limits, the health risks are significant. This regulatory gap will enable projects to proceed without thorough remediation when the consequences can be dire for community health.

These legal allowances set a concerning precedent. The apparent ease with which developers can skirt potential risks raises ethical questions. Advocates for public health are calling for reforms to modernize safety standards, aiming to protect communities from hazardous developments.

Voices from the Community: LIVEADE WELLNESS's Struggle Against Toxic Exposure

For B. Lou Mitchell, founder of LIVEADE WELLNESS, Inc., the challenges are personal and devastating. After successfully operating an incubated facility since 2018, Chlordane first appeared in our grow rooms in 2020 during the construction of the Mirasol Village Projects. Mitchell blamed the Mirasol Village development, as plant tests revealed Chlordane levels that made their products unmarketable, forcing an eventual shutdown in 2024. "The nightmare is that it took me almost three years to determine where this indestructible pesticide originated. The closer the construction of Mirasol Village got to my facility, the higher the Chlordane tests were. And private testing of Mirasol Village's soil proved devastating."

Mitchell's story exemplifies the struggle of many small businesses facing the impact of larger developments. It vividly depicts the human cost associated with inadequate safety measures. Her experiences reflect a need for greater advocacy and support, especially for businesses that are collateral damage in these situations. "Mitchell said, "It's about ensuring the safety of everyone in this community. SHRA has upcoming low-income redevelopment projects, which I am sure McCormack Baron Salazar will bid on."

The Broader Implications for Sacramento's Low-Income Housing Projects

The discussion surrounding Mirasol Village sheds light on broader implications for housing projects in Sacramento and beyond. Environmental health must remain a top priority as communities strive to develop low-income housing. Ignoring toxic legacies

can lead to consequences far beyond financial loss; it threatens the health of vulnerable populations.

If the community initiative prioritizes development over safety, the risk expands significantly. More than just constructing buildings, responsible development must include a commitment to transparency and resident health. The residents deserve safe living environments free from toxic history.

A Call for Change: Advocating for Updated Safety Standards in Construction

As awareness of the Mirasol situation grows, so does the demand for change. Advocates highlight the need to update safety regulations to ensure no community faces health risks from construction projects. Action must focus on closing the loopholes that allow hazardous practices to persist.

For access to toxicology reports, visual evidence, and Environmental Impact Reports, contact Info.toxicbuilders@gmail.com

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About the Author

BETTY MITCHELL, FDM

Sacramento, CA 95811

Former business owner