



October 2009 Newsletter

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Gear Up!



It's time again to gear up for **winter biking!**

Biking commuting in the winter is a different experience from other seasonal biking. Some find winter biking to be challenging; and others find it to be practical. The exercise of biking often warms you up faster than waiting for your car heater to warm up (plus, no scraping the windshield or digging out all the snow)!

That being said, if you've decided 2009 is your year to attempt at being an all-weather cyclist, there are some tips of which you may

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New SBA Rules In Effect October 1st

On October 1st, 2009, the SBA published an updated version of their [Loan Processing SOP, or SOP 50 10 5b](#). Included in these new rules are some clarified environmental regulations, mostly regarding specific NAICS codes.

For all SBA loans, environmental investigations should begin with a review of the property's NAICS code. For gas stations, dry cleaners, and environmentally-sensitive properties, a Phase I Environmental Site Assessment should automatically be ordered. Dry-cleaners who have been in operation more than 5 years will also require a Phase II Environmental Site Assessment.

Properties that are deemed environmentally-sensitive include:

- Most manufacturing facilities, including food, beverage, chemical, paper and plastic
- Auto dealerships and repair facilities
- Golf courses
- Truck or RV rental facilities
- Photofinishing
- Marinas
- Exterminators/pest control

A list of all NAICS code that are coded as environmentally-sensitive can be found in the new [loan regulations on pages 335 and 336](#).

For properties that do not have one of these higher-risk NAICS codes, the next step is to determine if the loan amount is \$150,000 or greater. If less, an environmental questionnaire may suffice, with a transaction screen or Phase I being performed only if environmental concerns are raised on the questionnaire.

If the loan amount is \$150,000 or greater, an environmental questionnaire and Record Search with Risk Assessment by an Environmental Professional (EP) must be performed. Should any of the historical information about the site include potential environmental concerns, a full Phase I ESA should be performed.

Anytime the SBA requires a Phase I, it must be conducted in accordance with All Appropriate Inquiry regulations, as defined by the Environmental Protection Agency. These reports include more historical and regulatory information than a traditional version and **must** be conducted by an EP to

want to be cognizant:

- 1) **Think base layers.** Cotton base layers trap water next to your skin. Try to find wicking base layers.
- 2) If your bike ride is longer than 20 minutes, **expect to start out your ride a little cold**, otherwise by the time you arrive, you'll feel like you're trapped in a sauna.
- 3) **Make sure your chain is properly lubed.** Winter salt and grime does a number on your bike's lubrication, and needs more frequent attention.
- 4) **Wear water and wind-proof jackets, gloves** (make sure dexterity remains adequate for breaking), **and shoes/socks.** Many cyclists find rain pants often help to insulate and keep their legs dry.

And most importantly of all:

- 5) **Where there's a will, there's a way!** Winter biking is less about your 'gear' and 'preparedness', and more about your determination.

To find more [tips](#) and support about biking in Chicago during winter, visit [Chicago Bike Winter's website](#).

Environmental Links

[Environmental Protection Agency](#)

[Illinois Environmental Protection Agency](#)

CFLs and Mercury



CFL lightbulbs can save up to

ensure compliance with the AAI regulations.

If you have any questions about the SBA regulations or want to conduct an environmental assessment for a SBA loan, contact [Steve Sawyer](#) or [Natalie Neuman](#) at 773-486-2132.

Gabriel Highlighted by LEED Council

The Local Economic and Employment Development (LEED) Council highlighted Gabriel's energy efficient renovations in their recent [weekly e-newsletter](#):

John Polich is anything but average. Polich, President of Gabriel Environmental Services saw SBIF funding as an opportunity to not only introduce cutting edge energy efficiency improvements to company but to grow his business. [...]

The majority of the SBIF projects at Gabriel have been focused on energy efficiency. There is hardly an empty space on their specially angled garage roof; it is covered with three types of solar thermal panels and 36 solar photovoltaic panels. The \$35,000 solar thermal system is used to heat water. This heated water is used in Gabriel's existing water system, and in the winter, surplus hot water will be used to assist with heating the building. The 36 Evergreen solar photovoltaic panels have a total capacity of 7200 watts of electricity. The \$38,000 system is the third largest photovoltaic setup on a commercial building in Illinois! The cells provide 12-15% of the electricity Gabriel uses. The system is wired so that on the occasions that they produce more electricity than they can consume it can be sent back into the grid and sold to their energy provider.

The article also highlighted Gabriel's newly installed geothermal system, as well our rain barrels which collect rain water to be used on our award-winning flower and vegetable gardens.

We are mindful of the impact of toxic chemicals and biochemicals on the environment and continually seek better ways to minimize them. Our commitment to sustainability is daily and ongoing, and we are always looking for new ways to improve.

Are you interested in learning more about Gabriel's environmental stewardship, or do you want to learn how to implement some of these sustainable features at your facility? Contact [John Polich](#) today at (773) 486-2123.

Gabriel Sponsors 3rd Give-A-Little Gala



Gabriel is proud to sponsor the 3rd Annual [Give-A-Little Gala](#) which benefits the Chicago Jesuit Academy (CJA). The event will be held at the Chicago History Museum on November 7th, 2009, and all proceeds will benefit the Academy Associates Scholarship Fund.

This innovative middle school on the West Side of Chicago differs from a traditional school by providing small class sizes, extended school days, and a longer academic year. All of its students are of modest economic backgrounds, so the school is completely scholarship based.

CJA's inaugural class graduated in May 2009, with its graduates heading

75% energy over the course of their lifetime, but despite this some are hesitant to make the switch due to the presence of mercury in the bulbs.

In effect, each bulb causes substantially less mercury to be released into the atmosphere than incandescent bulbs. Why? Because power plants release mercury, and incandescent bulbs require much more power than a CFL bulb.

To maximize that gain even further - and to prevent mercury from bioaccumulating in fish and being ingested by humans - the EPA recommends **all CFL bulbs should be recycled**. To find out more about recycling in your area, visit www.epa.gov/bulbrecycling or www.earth911.org.

To learn more about CFLs and mercury, visit the [DOE's energy star page](#).

Gabriel supports both the use and recycling of CFL. If you are interested in obtaining a FREE CFL light bulb from Gabriel, email [Sarah Polich](mailto:Sarah.Polich)!

onto college preparatory high schools such as St. Ignatius, Loyola Academy, and Walter Payton.



*"To me, this is the best school I have ever gone to. This is a good school because I learn a lot here and I have great friends. So thank you very much. I will not disappoint you."
~ Javier, 8th grade*

The Importance of Due Diligence in Foreclosures

As the economy begins to show signs of recovery, some property investors are beginning to look anew at properties available through foreclosure. When dealing with foreclosure properties, it is important for lenders to have a clear due diligence policy in place in order to protect themselves from a variety of liabilities.



Since foreclosures often involve the lender taking the title themselves, instead of the borrower holding the title, it is important each lender know their due diligence obligations to ensure they are protected in case of contamination on site.

If a foreclosed property is found to have environmental issues in need of cleanup, it may become the legal obligation of the lenders to handle those costs. If environmental issues are left unattended, the fallout can significantly hinder a bank's reputation and image.

How can you avoid becoming liable for the environmental problems? It's as simple as A-A-I. Often times environmental due diligence includes performing an environmental assessment with All Appropriate Inquiry to avoid liability under CERCLA, also known as the Superfund Law. AAI is designed to protect the landowner (in this case, the lending institution) from environmental cleanup liability, as long as they conducted an AAI-compliant assessment prior to taking title.

While many foreclosures may have existing Phase I ESA's, they might now be out of date or require the protection of the AAI standard. Gabriel can review these reports and offer a professional opinion of the environmental risks of taking on the property.

Gabriel has more than 35 years experience in the environmental field. If you have any questions about how commercial foreclosures might affect your business, contact [John Polich](mailto:John.Polich) at (773) 486-2123.

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