

Brooklyn Heights Courier (neighborhood newspaper)
Summary of New York Lawyers for Public Interest News Release

Data shows a possible wide-spread presence of PCBs in Brooklyn schools

By Hashim Rahman
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Recently obtained School Construction Authority (SCA) data reveals that between 2008 and now, over 30 recently-renovated Brooklyn schools contained high levels of PCBs, a toxic chemical compound that was banned in 1978.

This data was obtained from the SCA by the New York Lawyers for Public Interest (NYLPI), the organization representing Naomi Gonzalez, a Bronx mother who is suing the SCA and Department of Education (DOE) for not removing PCBs from her daughter's school.

"This is about the health of our children. My daughter has to go to school every day in a building that could make it harder for her to learn and make her sick," said Gonzalez in a recent press release.

According to SCA data, many Brooklyn schools contained PCB concentration levels far above 50 parts per million. The Environmental Protection Agency has determined that PCB concentrations above 50 ppm present an unreasonable risk to human health.

Brooklyn has more schools than any other borough — 88, according to the published news sources — that were built during the time in which PCBs were heavily used in caulking. There is no law that forces anyone to test for these pernicious contaminants.

The SCA data, however, was gathered pursuant to a state protocol which recommends PCB testing when there are renovations. The protocol also recommends removal if PCBs are found.

However, the DOE would not comment on whether PCBs were removed from the recently-renovated Brooklyn schools.

NYLPI attorney Miranda Massie said that even though PCBs were likely cleaned up from the specific renovation sites, the data intimates a wide-spread presence of PCBs throughout Brooklyn schools.

The data shows that areas of Boerum Hill's P.S. 38(450 Pacific St.) contained PCB levels that reached 297,000 ppm, which is nearly 6,000 times the EPA's danger threshold.

Other schools with extraordinarily high levels included J.H.S. 126 (424 Leonard St.) in Greenpoint, Bushwick High School (400 Irving Ave.), P.S. 32 (317 Hoyt St.) in Boerum Hill, P.S. 52 (2675 East 29 St.) in Sheepshead Bay, and P.S. 288 (2950 W. 25th St.) in Coney Island.

The PCB contamination issue gained momentum in early 2008 when high levels of PCBs were found in caulking at six schools.

There is also increasing evidence that PCBs are developmental toxins which pose greater risks to growing children in comparison to adults.

Physician David O. Carpenter, director of the Institute for Health and the Environment at SUNY Albany, authored a 2006 report on how PCB exposure can reduce a child's IQ and negatively affect behavior.

Carpenter and other experts also believe that PCBs are potential carcinogens that can suppress the immune system, alter the reproductive system, and enhance the effects of other cancer-causing substances.

"PCBs are persistent, bio-accumulative toxins that today pose unacceptable risks to [building] occupants," said Claire Barnett of the Healthy Schools Network. "It is up to the environmental regulatory community %u2013 EPA and the state agencies %u2013 to ensure control and remediation measures."

Last month, Gonzalez filed suit after determining that neither the EPA nor state agencies were responding to concerns about PCBs in her child's

school.

Her suit is focused on the Bronx school her daughter attends, but the legal action aims for a comprehensive, city-wide remediation.

“We expect the impact of this case to extend well beyond the specific schools that are involved,” said Massie. “We very much want to recruit parents from Brooklyn schools now that we’ve identified a number of Brooklyn schools with contaminated caulking.”

Two weeks after Gonzalez’s lawsuit, the EPA announced new guidelines on reducing exposure of PCBs in buildings.

The guidelines suggest air duct cleaning, wipe downs with wet rags, and frequent washing of children’s toys.

The EPA’s release states that “although this is a serious issue, the potential presence of PCBs in buildings should not be cause for alarm.”

The press release also indicates that there are “several unresolved scientific issues” that the agency is trying to better understand, one of which is the link between PCBs in caulk and PCBs in the air or dust.

Daniel Lefkowitz, a crusading parent whose efforts served to eradicate PCBs from his child’s Westchester school, considers the new EPA guidelines a step forward.

“They are realizing that this is something that they can’t back off from anymore,” said Lefkowitz. “Whether schools will step up to the plate is another story.”

Massie, however, believes that the guidelines are both a step forward and a step backward. She said that the guidelines do show that the EPA is acknowledging the issue, but they also show that the agency is reluctant to enforce federal laws which, she claims, require a prompt cleanup.

For more on the New York Lawyers for Public Interest, go to www.nylnpi.org.