

February 28, 2005

Dear Senator Schumer,

In case you missed the Channel 12 news report several weeks ago, the French Hill Elementary School in the Yorktown Central School District in Westchester, New York has soil contaminated with hazardous levels of PCB surrounding its perimeter.

I am the parent of a seven year old boy attending French Hill, as well as a parent on the Health and Safety Committee and someone who is quite knowledgeable and up-to-date on environmental safety issues. I myself found small pieces of caulking this past fall that were left behind on the ground as a consequence of renovation involving district wide window replacements during the summer of 2003.

On my own, (based on a Harvard study) that I will discuss below, I sent a piece of caulking to a lab for PCB analysis. My sample came back with very high levels of PCB. Based on the results, the Westchester County Department of Health in conjunction with the New York State Health Department only recommended that the school pick-up all remaining pieces of caulking. The Health Department did not feel that soil testing or indoor testing was necessary. Not feeling comfortable with their recommendations, I took a soil sample and had that sent to a lab for analysis. That sample came back with elevated PCB levels.

Based on the level of PCB in my soil sample, the Westchester County Department of Health came to the school and took their own soil samples. Their findings too showed elevated levels of PCB in the soil. At this moment in time, the school has been ordered to put up a fence around the perimeter of the school and wait for an answer from the State regarding clean up. To take matters into our own hands, the school board is deciding on whether to do indoor testing or not.

I decided to test the caulking after I first became aware of the dangers inherent in caulking material from reading an investigative study by Dr. Bob Herrick published by the Harvard School of Public Health in the summer of 2004. In his study, Dr. Herrick took samples of caulking from schools and public buildings and found high levels of PCB in a number of samples. In some cases, the PCB content was nearly 1000 times the EPA standards of 50 Parts per million. Dr. Herrick was prompted to do his study based on studies done in Switzerland, Sweden and Germany that found a link between PCBs in caulking and PCBs in the air. These studies found elevated levels in the blood of the people who live in the apartment buildings, and the teachers and the children that are in those buildings.

If it can happen at Yorktown Heights, it can happen anywhere, and it did.

In response to the Harvard study, television stations in Seattle, Washington did investigative reporting on this subject. Testing of schools in the Seattle case found elevated PCB in the caulking. In Rhode Island, investigators found high levels of indoor PCB that was traced back to the window caulking. This is just a tip of the iceberg.

What is so disturbing is that the EPA is taking no initiative for mandatory testing for PCB especially in schools. The EPA knows the dangers of PCB and how toxic it is to our children. The EPA knows that caulking can have high levels of PCB. After 30 years these materials are deteriorating and just touching it may cause exposure. The EPA's attitude is that if you test for it

and find high levels, someone will now have to clean it up. As long as you don't test, you will never know. Why open a Pandora's box. This is an unacceptable position.

It is apparent to me, that many state health departments take their lead from the EPA. If the EPA doesn't recommend testing, they will follow suit and not recommend testing. For example, though a summary statement of Dr Herrick's report did appear in the New York State Education Department's October 2004 newsletter, and provided a web link for the article, there were no directives, or recommendations, mandatory or otherwise for testing window caulking for PCB. According to the State Education Department in an email sent to me, "this is just information passed on to the school districts so they can make informed decisions when completing maintenance and construction projects on their buildings".

In other words, if the school doesn't want to test caulking, they do not have to do anything. So if a contractor or custodian works on a window or scrapes window caulking, we will never know whether he exposed himself to PCB or released toxic levels into the school environment. It is the law that before any renovation is done, schools have to test for lead and asbestos. For a toxic material, such as PCB, it is up to the discretion of the school. This is appalling!!

I am requesting that you take the lead and make this a federal issue. There needs to be federal regulations regarding *immediate mandatory testing* for PCB in schools, as well as our public buildings, regardless of whether or not renovation is an issue. In addition to mandatory testing, there must be a standardized comprehensive program to remove all PCB-laden caulk.

The law mandates children to attend school. We must mandate laws to protect them.

I eagerly await the opportunity to speak with you regarding this matter.

Sincerely,

Dr. Daniel Lefkowitz