



THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, NY 10007

March 11, 2011

Judith Enck
Regional Administrator
U.S. Environmental Protection Agency
290 Broadway
New York, NY 10007

Dear Regional Administrator Enck,

We strongly urge you to reject New York City's ten year timeframe for removing and replacing all PCB containing light ballasts and insist on a strict two year plan. It is both feasible and responsible to require that this work be completed in two years.

The project to rid New York City schools of PCB containing lighting ballasts can be accomplished with no upfront costs to the City. One contractor explained in a letter to a member of City Council that "In exchange for providing the financing needed to install the energy-saving ballasts, a private contractor is paid the amounts saved for a specified period to time." He continued, "Thereafter all of the savings are for the city." This practice is common place in green contracting and several similar arrangements would be available to the City, eliminating any financial argument against imposing a two-year timeline.

As your Agency has made clear when it announced the results of recent EPA inspections, "If a lighting ballast is leaking PCBs at above a regulatory level of 50 parts per million, it is considered an exceedance and federal law requires the immediate removal and disposal of the ballast and disposal of any PCB-contaminated materials at an EPA-approved facility." All of the schools that the EPA has inspected have had leaking light fixtures exceeding the regulatory threshold set by the Toxic Substances Control Act and it is more than likely that this trend will be found across all New York City schools with PCB contaminated ballasts. The City's ten year timeframe for removing PCB containing lighting ballasts is far from an immediate response and would leave thousands of children exposed to PCBs for years past what is necessary.

The EPA has also rightly emphasized that long-term exposure to PCBs, even at low levels, poses serious risks to human health, especially children's health. PCB exposure is associated with permanently depressed IQ, increased risk of attentional deficits, hormonal and immune disruptions, and childhood leukemia, among other serious health problems. Subjecting children and teachers to an additional eight years of exposure is unacceptable given the serious health impacts that may be caused by this increased exposure.

Leaving aside the PCB contamination, the lighting in question has been subject to a federal Department of Energy phase-out since 2005 and will soon be completely obsolete. The City will inevitably need to

replace this old technology as the ballasts became illegal to make or sell last year, and the same will be true of the bulbs next year.

We sincerely commend and thank you for all you have done to advocate for the children and employees in New York City schools. A reasonable and attainable two year time frame to remove and replace these old, leaking, and dangerous light fixtures will limit children's exposure to PCBs and is the only timeframe we can endorse.

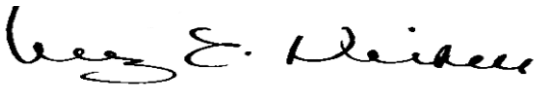
Sincerely,



Joel Rivera
Majority Leader, 15th District



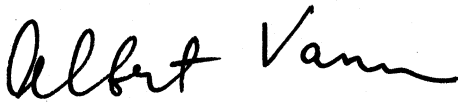
Leroy G. Comrie, Jr.
Deputy Majority Leader, 27th District



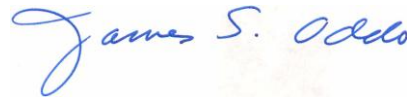
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Assistant Majority Leader, 9th District



Lewis A. Fidler
Assistant Majority Leader, 46th District



Albert Vann
Majority Whip, 36th District



James S. Oddo
Minority Leader, 50th District



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Fernando Cabrera
Council Member, 14th District



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Vincent J. Gentile
Council Member, 43rd District



Daniel J. Halloran
Council Member, 19th District



Robert Jackson
Council Member, 7th District



Peter Koo
Council Member, 20th District



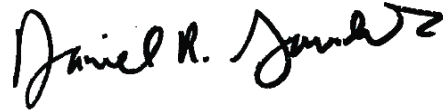
Brad Lander
Council Member, 39th District



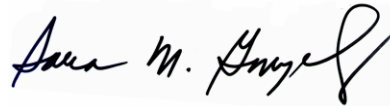
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Julissa Ferreras
Council Member, 21st District



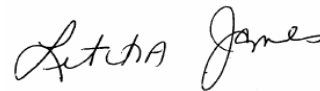
Daniel R. Garodnick
Council Member, 4th District



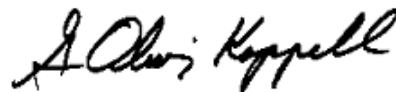
Sara M. Gonzalez
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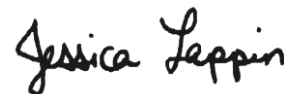
Vincent Ignizio
Council Member, 51st District



Letitia James
Council Member, 35th District



G. Oliver Koppell
Council Member, 11th District



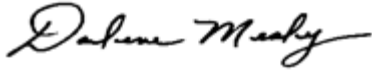
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Melissa Mark-Viverito
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Darlene Mealy
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Rosie Mendez
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Annabel Palma
Council Member, 18th District



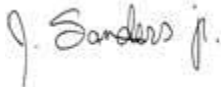
Diana Reyna
Council Member, 34th District




Ydanis Rodriguez
Council Member, 10th District



Deborah Rose
Council Member, 49th District



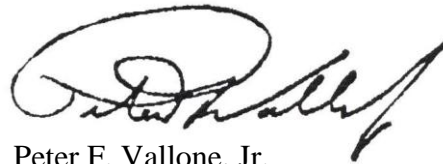
James Sanders, Jr.
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Larry B. Seabrook
Council Member, 12th District



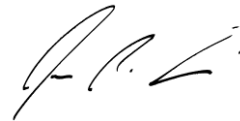
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Jimmy Van Bramer
Council Member, 26th District



Jumaane D. Williams
Council Member, 45th District



Ruben Wills
Council Member, 28th District