

Lackluster response on PCBs criticized

by Martin Wilbur

Recent responses by a federal Environmental Protection Agency (EPA) official to questions posed by Westchester County Legislator Michael Kaplowitz (D/Somers) requesting guidance on how to approach the PCB issue were criticized as vague and inconclusive.

Kaplowitz fired off an August 25 letter to the agency containing a set of questions in hopes of helping fellow Westchester lawmakers set guidelines for the testing and possible removal of polychlorinated biphenyls.

The substance, a known carcinogenic, has been banned since 1977 in the United States. It was used in window caulking in many public buildings throughout the country and is still likely present in structures that were built in the 1950s through much of the 1970s.

Locally, testing completed this summer at Yorktown's French Hill Elementary School revealed there were three locations at the school that had elevated levels above.

Kaplowitz said any concrete advice from the EPA was in short supply.

"We need guidance and that letter doesn't give us any answers for our schools and other institutions about what they are going to do with this stuff," said Kaplowitz.

"Is it really the problem that we think it is or is it not the problem?" he added.

The legislator said he will urge his colleagues on the board to reexamine the issue in January after the county budget has been finalized and the holidays are complete.

Kaplowitz sent an August 25 correspondence to the EPA containing about a dozen questions regarding health risks, relevant studies, the possibility of mandatory testing, protocols and any advice on how the county government should proceed.

On November 3, Kenneth Stoller, chief of the EPA's Pesticides and Toxic Substances Branch, replied with confusing and somewhat contradictory answers, said Yorktown resident Daniel Lefkowitz, who as a member of Yorktown School District PCB subcommittee brought the issue to light in 2003 after discovering caulking near the building weeks after windows had been replaced.

Lefkowitz said in response to one Kaplowitz inquiry regarding analysis of health risks and cost factors, Stoller responded that because PCBs are "illegal and the potential for exposure may be significant, PCB-containing caulk must be removed upon discovery."

However, a few questions later when asked how lawmakers should proceed, he responded that "given the potential for high concentrations of PCBs in caulk and the potential for exposure and that the continued use of PCB-containing caulk is in violation of the regulations, it should be replaced when discovered."

With regards to testing, Stoller stated that the testing of caulk "may be advisable if the use of PCB-containing caulking has been previously demonstrated." Lefkowitz said he was disappointed with the responses and said it is apparent that local legislators like Kaplowitz are going to have to take the lead on this issue.

"In order to get action it's going to come down to the local level," he said "We're going to have to go through county legislators and not depend on the federal level."

Board of Education Vice President Jay Miller also said there was little help from the EPA.

"It seems to me the EPA was skirting the issue," Miller said.

Assistant Superintendent of Business Thomas Cole said there has been little help from the state Education Department (SED) on the issue as well.

Test results from French Hill Elementary School showed that Room 23 window pane, a Room 6 window sill and a strip outside near the building entrance were in excess of the standard of no more than 10 ug/cm².

The strip contained a staggering 22,700 ug/cm², while the window pane and sill wipes had 10.9 ug/cm² and 34 ug/cm², respectively.

The consultant concluded that no action

was warranted inside the building since none of the wipes taken from the interior exceeded 10 ug and that decontamination of a limited number of surfaces is warranted on the exterior of the building.

At this time there are no plans from the district to conduct more testing at the other five schools, Miller said. All are built within the timeframe where there would be a chance that there are PCBs.

For Lefkowitz, the EPA's lackluster response was disheartening.

"If I didn't go out and test for this myself these kids would be playing on contaminated soil," he said.