



Legislation Text

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Res. No. 765

Resolution calling on the New York City Department of Education and the United States Environmental Protection Agency to commence immediate, comprehensive testing in New York City public schools for polychlorinated biphenyls (PCBs) and undertake remediation efforts where they are found.

By Council Members Rodriguez, Cabrera, Chin, Fidler, Gentile, Lander, Mendez, Nelson, Recchia, Vann and Williams

Whereas, In August 2010, the New York City Department of Education issued the results of a pilot study of five schools which found that in three of the five schools some areas contained levels of polychlorinated biphenyls (PCBs) significantly above the United States Environmental Protection Agency's (EPA) recommended levels; and

Whereas, PCBs are man-made organic chemicals that were used for a variety of commercial and industrial purposes; and

Whereas, PCBs were manufactured in the United States from 1929 until 1979 when their use and manufacture were banned pursuant to the Toxic Substances Control Act; and

Whereas, In spite of the ban, PCBs can still be found in products and/or materials produced prior to 1979, which include, but are not limited to, items such as caulking, plastics, and adhesives; and

Whereas, At least 740 schools were built and/or renovated in the City prior to the 1979 ban of PCBs; and

Whereas, Many community members feel the Department of Education's pilot study was not sufficient, and that there is a significant need to immediately test the 740 schools at risk citywide, including sampling of light ballasts, soil, paint, air, and caulking; and

Whereas, EPA has rejected the City's ten-year plan to identify and replace school building lighting

ballasts containing PCBs and is pushing for a shorter time frame; and

Whereas, New York City and EPA continue to differ over the urgency of identifying and removing school lighting fixtures that contain PCBs; and

Whereas, The Department of Education should involve the community in the testing and remediation process for PCBs by (1) developing and implementing an emergency protocol for the testing and safe removal of PCB-containing light ballasts, (2) publishing a community-wide report on the citywide testing plan and protocol for light ballast removal so that parents, school maintenance workers, and teachers can participate meaningfully in the design of the remediation process, (3) repair ventilation systems at all schools at risk for PCB contamination, (4) make available to the public all laboratory analyses concerning PCBs in New York City public schools, and (5) hold meaningfully timed information sessions throughout the year to maximize the opportunity of school communities to have a voice in policy; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York City Department of Education and the United States Environmental Protection Agency to commence immediate, comprehensive testing in New York City public schools for polychlorinated biphenyls (PCBs) and undertake remediation efforts where they are found.

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