

A Message from EAW President Roger Nugent on PCB's at Burncoat and Doherty High Schools

Polychlorinated Bisphenols (PCBs) have been classified as probably carcinogenic, and carcinogenic to humans (group 1) by the Environmental Protection Agency (EPA) and International Agency for Research on Cancer (IARC), respectively. <https://www.atsdr.cdc.gov/toxfaqs/tfacts17.pdf>. Doherty High School and Burncoat High Schools are contaminated with caulking that contains (PCBs). We know these buildings are contaminated because in May of 2009, the EAW and a Harvard School of Public Health scientist took bulk samples of the caulking as well as blood samples of 18 teachers. The levels of PCBs in the teachers' blood were significantly elevated from the general population from non-dietary sources. The EPA has a bulk sample limit of PCBs of 50 parts per million (ppm). The EPA requires that bulk material over 50 ppm be disposed of as hazardous waste. The EPA also takes supervisory authority of the remediation.

According to our tests we took in 2009, the levels of PCBs at Doherty High School were 85,600 ppm and 8,320 ppm at Burncoat High School. We then asked the school district to bulk test the caulking with us. They refused. In fact, they denied that the caulking samples we took with Harvard School of Public Health came from their buildings. The EAW then filed an unfair labor practice when we were denied the right to test. In June 2016, we won the right to test at the State Labor Relations Commission. The case is now being appealed by the school district which has blocked our ability to test.

At the WPS district's initiative recently, we entered into settlement discussions. They told us they plan to replace both Doherty and Burncoat High Schools. We think that is great, nevertheless we insisted they keep the buildings safe until they are replaced. Typically it takes six (6) years before the new buildings would be ready for occupancy. However, the discussions broke down for several reasons. The EAW agreed that the district could air test (not bulk test) but we insisted in the mean time they put safety procedures into place that follow all EPA guidelines. The WPS refused to commit to follow all applicable EPA safety guidelines. They refused to keep the EPA informed of test results or involve them in plans for renovations. The WPS insisted we agree to refrain from asking to test at any other school buildings. We felt we couldn't do that. The WPS would only agree to "substantially comply" with the "totality of the agreement" and not the letter of the agreement. Finally, they refused to make the agreement that is enforceable in court.

The EAW will insist that the WPS follow all EPA applicable guidance in order to keep educators and students safe. We cannot waive our right to test at other buildings if it is appropriate. We want unfettered access to all activities in real time, strategy sessions and notes. For the safety of students, faculty and community, we want access to renovation and encapsulation plans and activities, cleaning, maintenance, testing procedures that follow EPA approved guidelines and testing information, demolition and repair activities. We want transparency of plans before they unfold and any other information that is relevant. We insist on an agreement that is enforceable. We want real authority when choosing a consultant to do the work for the city.