

September 12, 2007

Honorable Richard F. Daines, M.D.
Commissioner
New York State Department of Health
Corning Tower
Empire State Plaza
Albany, NY 12237

VIA FAX

Dear Commissioner Daines:

We, the undersigned, write to express our concerns about solvent contamination recently discovered at South Hill Elementary School in Ithaca, NY. We ask that you take decisive action to safeguard the school's more than 300 students (pre-K through grade 5), faculty and staff, as well as nearby residents.

The school is located directly across the street from the heavily-polluted Emerson Power Transmission (EPT) factory. This State Superfund site has been classified a "significant threat to public health or the environment -- action required," but it has neither been fully investigated nor cleaned up after more than 20 years of inadequate state effort.

The New York State Department of Environmental Conservation (NYSDEC) recently required EPT to test for toxic chemicals in soil gas vapor collected along the school property line closest to the factory. An 8/21/07 report identified toxic solvents at every location sampled, including trichloroethane, trichloroethylene, perchloroethylene and methylene chloride. Toxics also were identified at two additional sampling locations adjoining the school's basketball court.

We understand that limited testing was conducted which identified toxic solvents under the school's foundation as well as in the school's basement and crawl spaces. Your agency reportedly informed Ithaca City School District authorities that no further action would be required even though your investigation did not fulfill your agency's own October 2006 soil gas vapor intrusion protocol and no test results were released.

Your protocol specifies that "Indoor air samples are typically collected concurrently with sub-slab vapor and outdoor air samples (Section 2.2.4). The protocol further requires: "At a minimum, these general guidelines should be followed when selecting buildings to sample for indoor air: a. where sub-slab vapor samples were collected without indoor air samples."

Your protocol also specifies "d. buildings within known or suspected areas of subsurface volatile chemical contamination that are used or occupied by sensitive population groups (e.g. daycare facilities, schools, nursing homes, etc.) should be given special consideration for sampling."

The solvents identified on the school property are acutely as well as chronically toxic. They can cause neurological, heart, kidney and lung impairments. Trichloroethylene, perchloroethylene and methylene chloride are potential cancer-causing agents. For example, your Department's own guidelines state: "Reasonable and practical actions should be taken to reduce trichloroethylene/perchloroethylene exposure when indoor air levels are above background..."

Given these well documented threats, particularly to very young children, we respectfully ask you to take the following actions:

First, we request that your test findings be posted immediately in the Tompkins County Public Library and/or on-line.

Second, we believe it is essential to test the indoor air of the school to make sure contaminant levels do not exceed your agency's guidelines. We request that your agency or EPT conduct comprehensive indoor ambient air quality testing immediately after the school's heating system is operating on a full-time basis. This testing program should assess classrooms, hallways, offices and other interior school areas. All results should be made publicly available. Our request comports with your agency's October 2006 soil gas vapor intrusion protocol (see page 17).

Third, we request that consideration be given to investigating the installation of a school-wide sub-slab depressurization system to prevent soil gas vapors from intruding into the school. These systems have already been installed under homes near the school, impacted by EPT.

Finally, we request that your agency work with the NYSDEC to determine the sources of the contamination on the school property and clean them up in strict compliance with all applicable regulatory requirements. Removal of contaminant sources is critical to protecting the school and nearby residents from continuing pollution hazards.

We trust that you will find our request self-explanatory. We look forward to receiving your reply without delay and to working with your agency to resolve these matters.

Yours truly,

Walter Hang
212 Fall Creek Drive
Ithaca, NY 14850

Richard DePaolo and Katharine Praisner
126 Northview Road
Ithaca, NY 14850

Honorable Barbara Lifton
Assemblywoman, 125th District
106 East Court Street
Ithaca, NY 14850

Ken, Regina, Jonathan and Brian Deschere
202 South Hill Terrace
Ithaca, NY 14850

Honorable Carolyn Peterson
Mayor, City of Ithaca
108 East Green Street
Ithaca, NY 14850

Honorable Tim Joseph
County Legislature Chair
772 Elm Street Ext.
Ithaca, NY 14850

Honorable Pamela Mackesey
County Legislator
323 Pleasant St.
Ithaca, NY 14850

Honorable Nathan Shinagawa
County Legislator
520 E. Buffalo Street, #2
Ithaca, NY 14850

Honorable Kathy Luz Herrera
County Legislator
115 Utica St.
Ithaca, NY 14850

Honorable Maria I. Coles
Aldersperson
502 Warren Place
Ithaca, NY 14850

Honorable Herbert J. Engman
Town Board Member
120 Warren Road
Ithaca, NY 14850

Jean Healy
316 Columbia Street
Ithaca, NY 14850
(mother of a South Hill 3rd grader)

James W. Gillett, Ph.D.
Professor Emeritus of Natural Resources
Cornell University
150 Burdick Hill Road
Ithaca, NY 14850-8527

Brendan Wyly
Kristen Grace
Kathryn Wyly
212 South Hill Terrace
Ithaca, NY 14850

Linda A. Haas-Manley
294 Caldwell Hall
Ithaca, NY 14853

Munna Rubaii
133 Crescent Place
Ithaca, NY 14850

David and Susan Watkins
201 Hillview Place
Ithaca, NY 14850

Darien Simon, Ph.D.
1038 Kraft Road
Ithaca, NY 14850

John Barber
339 Nelson Road
Ithaca, NY 14850
(parent of child at South Hill School)

Elizabeth Wilkinson
142 Pearsall Place
Ithaca, NY 14850-5932

Verlaine and Michael Boyd
315 Pleasant Street
Ithaca, NY 14850

Jeffrey A. Schwartz
120 Rachel Carson Way
Ithaca, NY 14850

Marjorie Z. Olds
100 Renzetti Place
Ithaca, New York 14850

John and Elise Criscitello
401 S. Cayuga Street
Ithaca, NY 14850

Timothy Weber
Katherine Lockwood
501 South Cayuga Street
Ithaca, NY 14850

Joseph Kaye
121 South Hill Terrace
Ithaca, NY 14850

Stanley Scharf
214 South Hill Terrace
Ithaca, NY 14850

Alison and John Maceli
104 Crescent Place
Ithaca, NY 14850

Nancy Pollak
125 Giles Street
Ithaca, NY 14850

Janice Nigro
105 King Street
Ithaca, NY 14850

Charles and Glenna Dunaway
416 Madison Street
Ithaca, NY 14850

Dennis Anello
Jill Ullian
214 Rachel Carson Way
Ithaca, NY 14850

Kathleen Gemmell
209 1/2 Pleasant Street
Ithaca, NY 14850

John and Rita Graves
319 Pleasant Street
Ithaca, NY 14850

Bryan L. Isacks
100 Renzetti Place
Ithaca, NY 14850

Kristine DeLuca-Beach
614 S. Albany Street
Ithaca, NY 14850

Claudia Stoscheck
503 South Cayuga Street
Ithaca, NY 14850

Jennifer Dotson
Gail Blake
212 Wood Street
Ithaca, NY 14850

Kathryn Grace
201 South Hill Terrace
Ithaca, NY 14850

Judy Jensvold
314 Turner Place
Ithaca, NY 14850

Andy Hillman
316 Turner Place
Ithaca, NY 14850

Shannon McSurely
316 Turner Place
Ithaca, NY 14850

Joseph A. Martin
508 Turner Place
Ithaca, NY 14850

Gerald Coles
502 Warren Place
Ithaca, NY 14850

Pat Dutt
135 Westhaven Road
Ithaca, NY 14850

Sue Perlgut
221 Wood Street
Ithaca, NY 14850

Lisa Borst
222 Wood Street
Ithaca, NY 14850

Laurie Rubin
231 Wood Street
Ithaca, NY 14850

Mary Lorson
William Cote
10 Bald Hill Rd.
Ithaca, NY 14850

Marilyn and Kyle Pettinga
303 Wood Street
Ithaca, NY 14850

Susannah Fine and Gregory Shaw
102 Updike Rd.
Ithaca, NY 14850

Thomas and Janice Pfaff
642 Coddington Rd.
Ithaca, NY 14850

Michael Weiss
110 Juniper Dr.
Ithaca, NY 14850

Tim and Kate Turecek
1677 Coddington Road
Brooktondale, NY 14817

Stuart B. Krasnoff and Katherine L. Dickin
108 Juniper Dr
Ithaca, NY 14850

Larry Helmeczy
16 Gunderman Rd.
Ithaca, NY 14850

cc: Dr. Judith Pastel, Superintendent, Ithaca City School District
Ms. Rae Covey, Principal, South Hill Elementary School
Honorable Alexander Grannis, Commissioner, NYSDEC