UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

DATE: October 18, 2013

SUBJECT: PCB Inspection: Public School 030 – Hernandez/Hughes
144-176 East 128 Street
Manhattan, New York 10035

FROM: James S. Haklar, Ph.D.
Environmental Engineer, Toxics Section
Pesticides & Toxic Substances Branh

TO: Susan Schulz, Chief
Toxics Section

On September 28, 2013, a Toxic Substances Control Act (TSCA) polychlorinated biphenyl (PCB) inspection was performed at the above-referenced school. The purpose of the inspection was to observe the decontamination of cabinets in which fluorescent light ballasts are housed (i.e. "ballast cabinets"). The decontamination work was being performed by Triumvirate Environmental (Triumvirate), a contractor to the New York City Department of Education (DOE). The United States Environmental Protection Agency (EPA) began the inspection by presenting credentials and having a discussion with the following individuals:

- Daniel Ambrico, CHMM, Field Service Operations Manager, Triumvirate
- Luke Richard, Triumvirate
- Elwin Penn, Triumvirate

EPA issued a Notice of Inspection (see Attachment 1) via email to Mr. Philip Napolitano of the DOE.

Background

Public School 030 is located in a building consisting of three and four stories (the number of stories depending on the building wing) and a basement. The building is masonry and pre-cast concrete. The school has an enrollment of approximately 311 students and serves students in pre-kindergarten through the fifth grade as well as special education. The building's ventilation system exhausts air from the classrooms.

Aside from P.S. 030, there are two other schools operating within the building: P.S. 138M and the Harlem Success Academy 2 Charter School.

At the time of the inspection the DOE was removing old (presumed PCB) ballasts from the ballast cabinets in this school. The DOE decontaminates the ballast cabinets if there are indications of either a current or prior leak. The decontamination procedure involves an overnight application of a solution known as CAPSUR, with a subsequent rinsing/wiping the following day (to remove the CAPSUR solution). Confirmatory wipe samples are then taken to ensure compliance with a decontamination standard of 10 micrograms per 100 square centimeters.

Inspection Details

Mr. Ambrico led the EPA inspector on a tour of the six ballast cabinet locations. These cabinets are located outside of Rooms 217, 213, 256, 258, 315, and 323. All of the old ballasts had been removed from the cabinets. Two of the locations were inside a temporary poly enclosure (with asbestos warning signs). One of the cabinets did not exhibit contamination and was therefore not being decontaminated.

There were three drums for the storage of ballasts. One drum was located on the third floor while the other two were located on the second floor. All drums were situated on poly, and the second-floor drums contained only non-PCB ballasts. The third floor drum contained at least one old (presumed PCB) ballast, but the drum did not have the regulatory (M_L) PCB mark affixed to it.

Please see the inspection photographs (Attachment 2) as well as follow-up correspondence from Mr. Napolitano (Attachment 3).

Conclusion

EPA concluded the inspection with a discussion of the Agency's observations. A Receipt for Samples and Documents was also completed and emailed to Mr. Napolitano (see Attachment 4).

Attachments

1. Notice of Inspection
2. Inspection Photographs
3. Follow-up Correspondence
4. Receipt for Samples and Documents

Attachment 1
Notice of Inspection

United States Environmental Protection Agency
Washington, D.C. 20460
Toxic Substances Control Act

EPA

Form Approved
OMB No. 2070-0007
Approval Expires 10-31-92

NOTICE OF INSPECTION

The public reporting burden for this collection of information is estimated to average 5 minutes per response. This estimate includes time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information to the Chief, Information Policy Branch (PM-223), US Environmental Protection Agency, 401 M Street, SW, Washington, DC 20460, and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, marked ATTENTION: Desk Officer for EPA.

1. Investigation Identification			2. Time	3. Firm Name
Date: 9-28-13	Inspector No.: F16426	Daily Seq. No.: 1	0900	P.S. 030 HERNANDEZ/HUGHES

4. Inspector Address
U.S. ENVIRONMENTAL PROTECTION AGENCY, REGION II
PESTICIDES & TOXIC SUBSTANCES BRANCH-MS-105
2890 WOODBRIDGE AVE. - BLDG 10
EDISON, NEW JERSEY 08837-3679

5. Firm Address
144-76 EAST 28 STREET
MANHATTAN, NY 10035

REASON FOR INSPECTION

Under the authority of Section 11 of the Toxic Substances Control Act:

☒ For the purpose of inspecting (including taking samples, photographs, statements, and other inspection activities) an establishment, facility, or other premises in which chemical substances or mixtures or articles containing same are manufactured, processed or stored, or held before or after their distribution in commerce (including records, files, papers, processes, controls, and facilities) and any conveyance being used to transport chemical substances, mixtures, or articles containing same in connection with their distribution in commerce (including records, files, papers, processes, controls, and facilities) bearing on whether the requirements of the Act applicable to the chemical substances, mixtures, or articles within or associated with such premises or conveyance have been complied with.

☐ In addition, this inspection extends to *(Check appropriate blocks):*

- ☐ A. Financial data
- ☐ B. Sales data
- ☐ C. Pricing data
- ☐ D. Personnel data
- ☐ E. Research data

The nature and extent of inspection of such data specified in A through E above is as follows:

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Inspector Signature		Recipient Signature	
		EMAILED on 9/28/13 TO J	
Name: JAMES S. HAKLAR		Name: PHILIP NAPOLITANO	
Title: ENVI. ENGR.	Date Signed: 9-28-13	Title: Deputy Dir. of Facilities MYCOE, DSF	Date Signed:

EPA 7740-3 Rev (8-91)

Inspection File

Attachment 2
Inspection Photographs

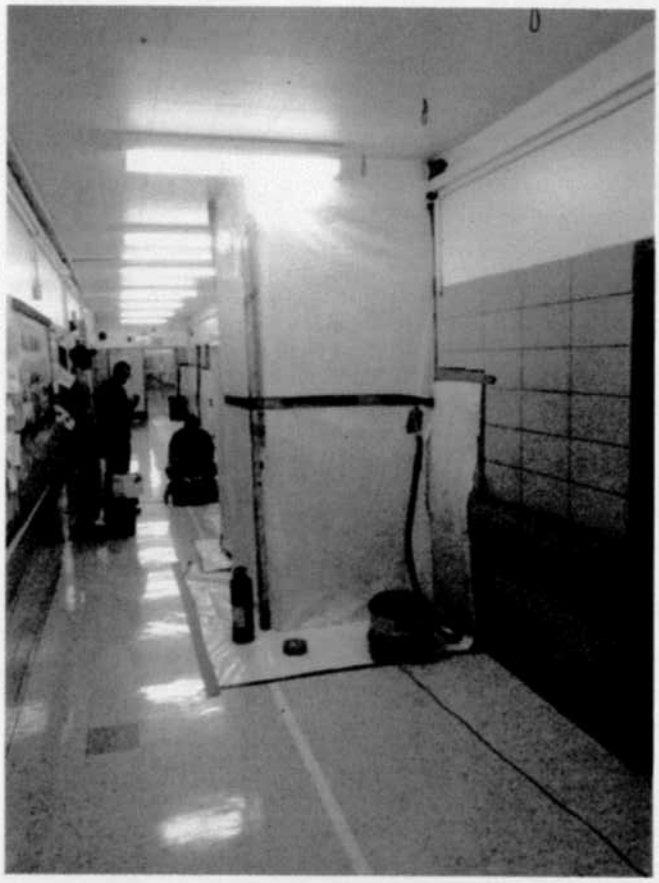

Photo #1 - Ballast cabinet enclosed in poly outside of Room 217.

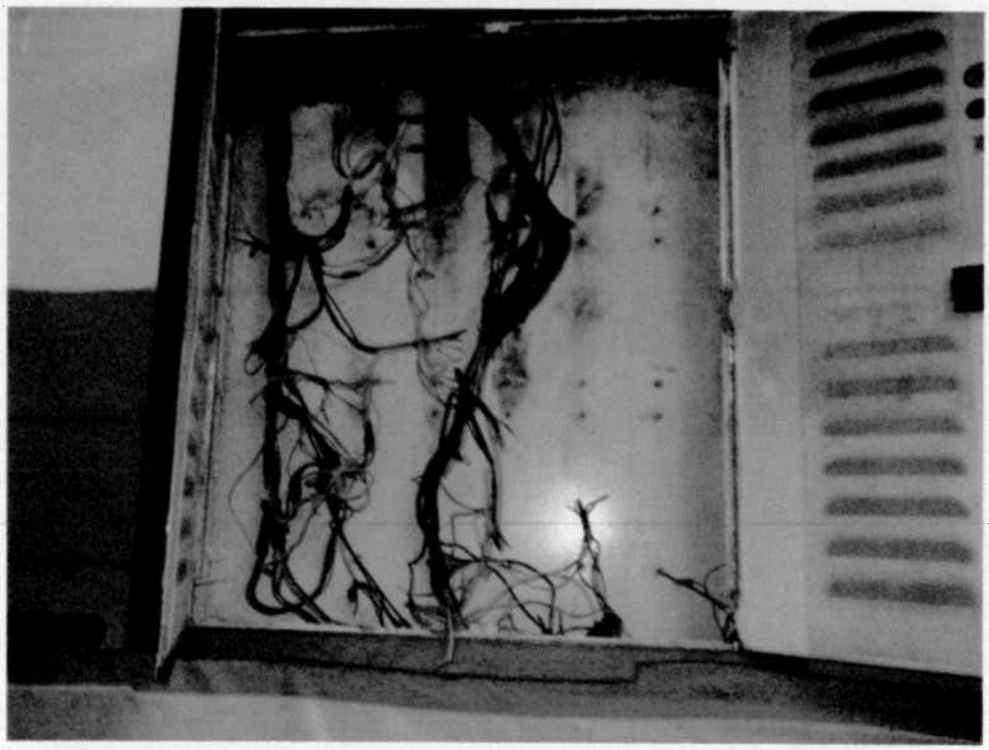

Photo #2 – Ballast cabinet outside of Room 213 (all ballasts have been removed).

Photo #3 – Detail of staining in ballast cabinet outside of Room 213.

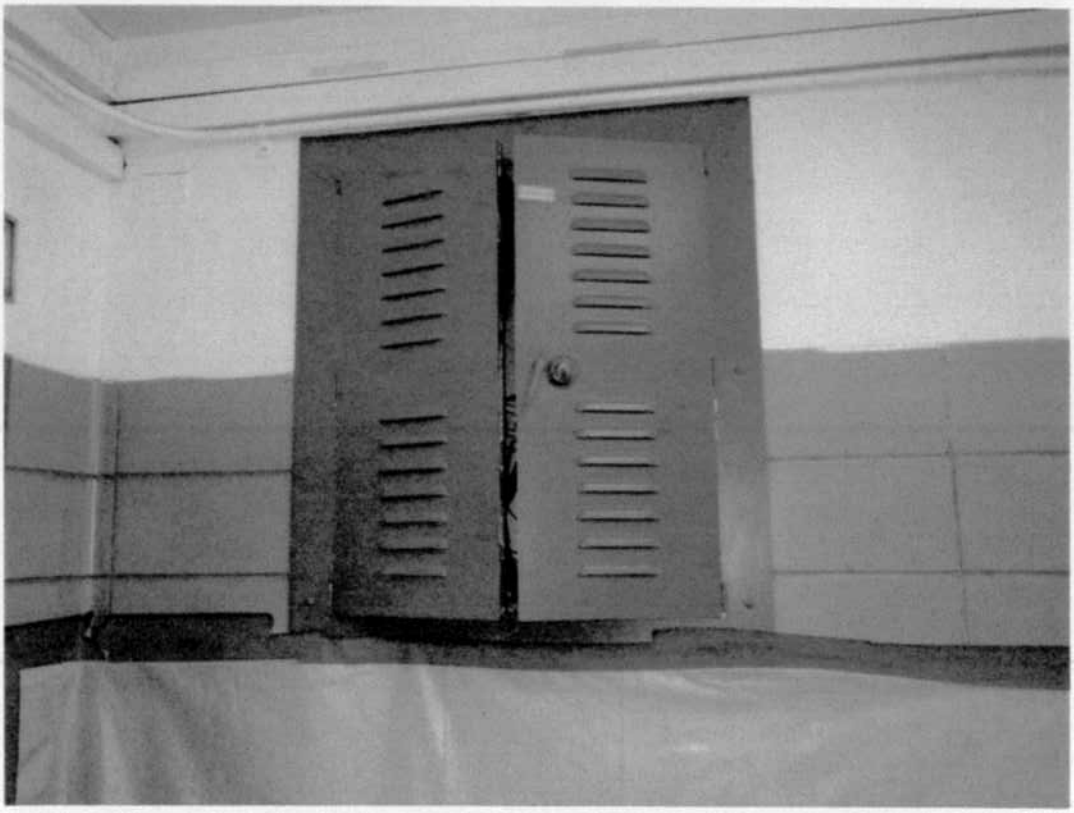

Photo #4 – Ballast cabinet outside of Room 213 with doors closed.

Photo #5 – Detail of the ballast cabinet outside of Room 256. Only one old ballast was found in this cabinet (the others are newer electrical ballasts). The yellow staining is due to the CAPSUR decontamination solution.

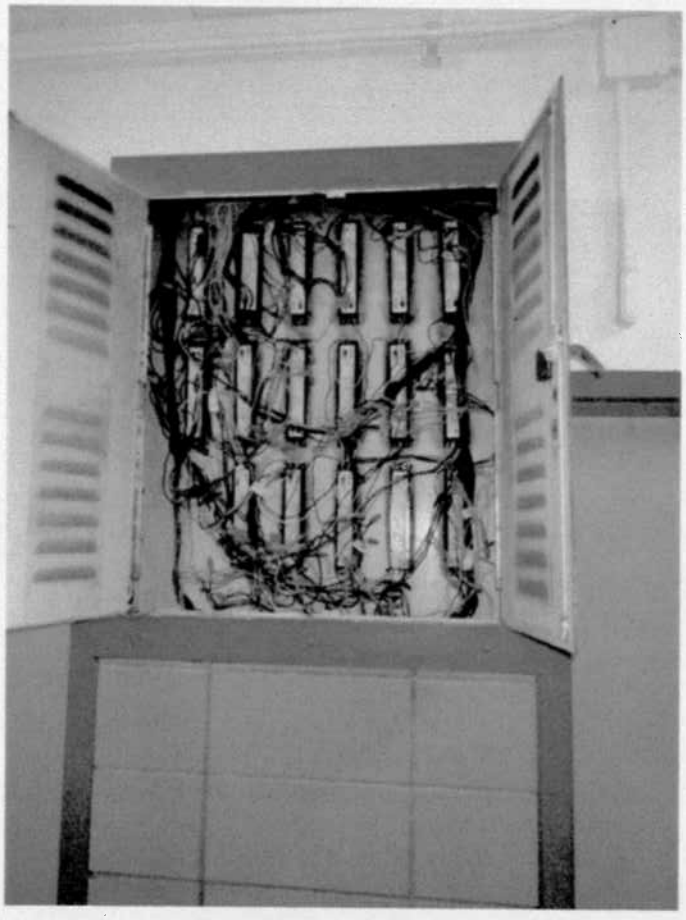

Photo #6 – Ballast cabinet outside of Room 258. There is no staining and all ballasts are non-PCB.

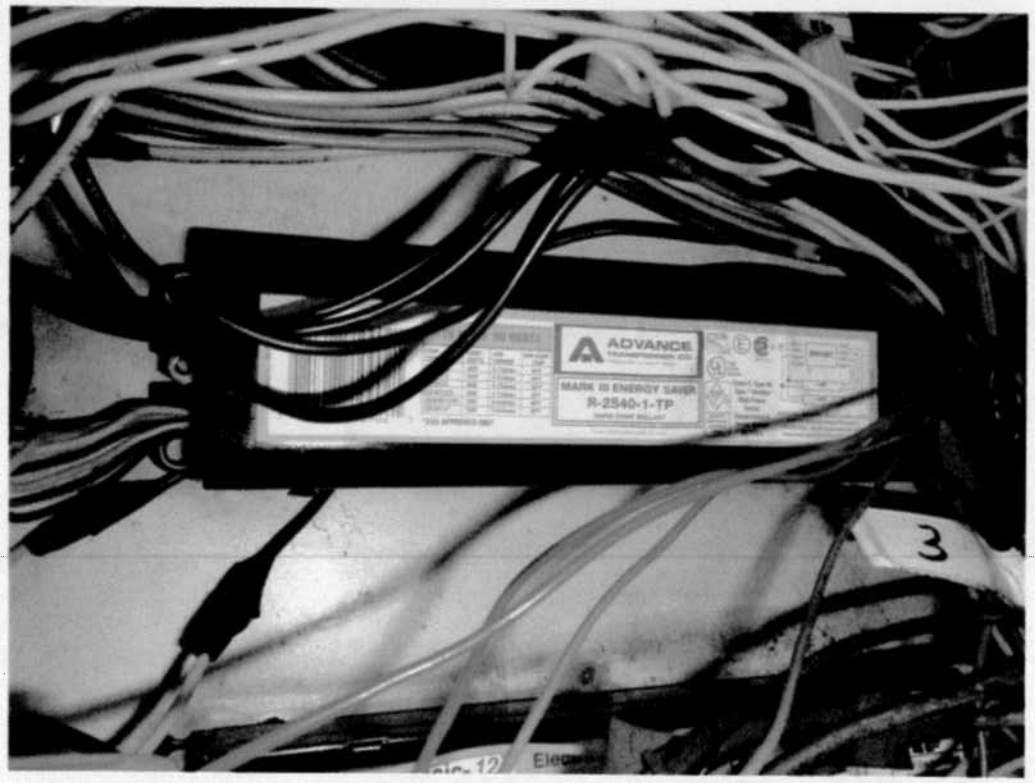

Photo #7 – One magnetic ballast was found in the cabinet outside of Room 258.

Photo #8 – Closed ballast cabinet outside of Room 323.

Photo #9 - Ballast cabinet outside of Room 323 with doors open.

Photo #10 - Decontamination of ballast cabinet outside of Room 323.

Photo #11 - Ballast cabinet enclosed in poly outside of Room 315.

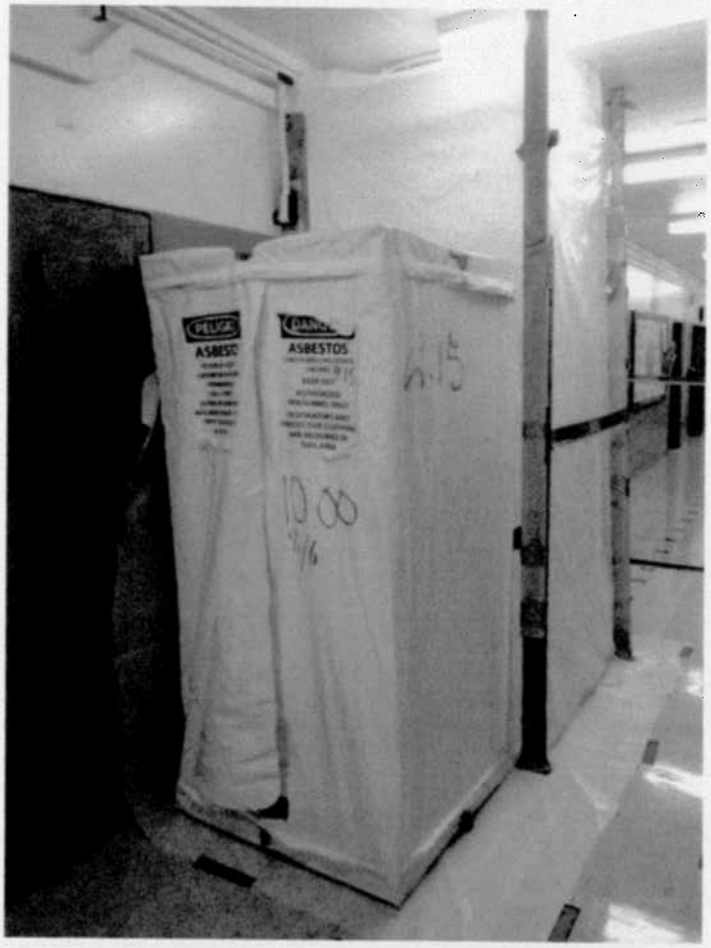

Photo #12 – Another view of poly enclosure outside of Room 315.

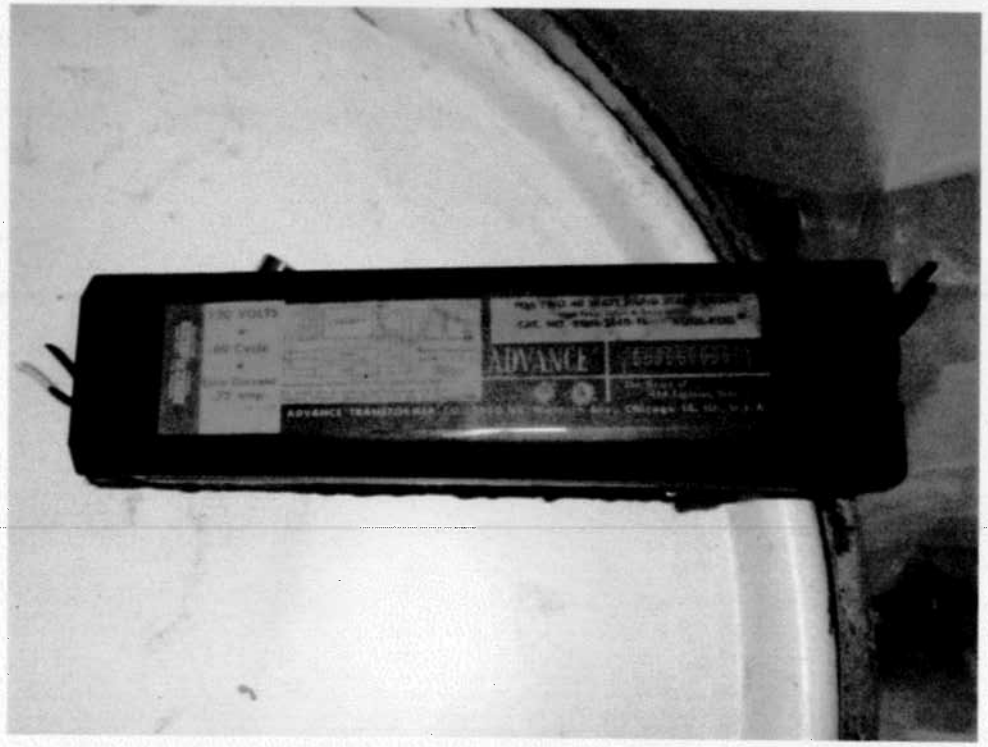

Photo #13 – Old (presumed PCB) ballast was in a drum that was not marked with the regulatory M_L.

Photo #14 - Drum of non-PCB ballasts outside of Room 213.

Attachment 3
Follow-up Correspondence

Haklar, James

From: Napolitano Philip [PNapolitano2@schools.nyc.gov]
Sent: Monday, September 30, 2013 9:22 AM
To: Haklar, James
Cc: Gorman, John
Subject: RE: PS 30M Inspection

Thanks Jim. Documents have been received.

Our environmental consultant (ATC Consultants) took a total of 10 wipe samples from the ballast cabinets (2 per cabinet) on Saturday afternoon. All 10 sample results are below the detection limit thus below the federal action level of 10 ug/cm^2. All outstanding electrical work was completed over the weekend.

Any questions let me know

Phil

From: Haklar, James [mailto:Haklar.James@epa.gov]
Sent: Saturday, September 28, 2013 12:42 PM
To: Napolitano Philip
Cc: Gorman, John
Subject: PS 30M Inspection

Phil,

Attached are the inspection forms we previously discussed (consider them issued). Also, I have a few questions regarding the work I saw this morning at the school. Triumvirate said another contractor was going to perform confirmatory wipe sampling of the ballast cabinets later today. Who is that contractor and what is the decontamination level they are using (is it 10 ug/100 cm2)? Also, is the electrical work expected to be completed in time for Monday?

Please note that Dan and his crew acted very professional in my presence and were extremely helpful. However, I noticed that there was a drum with at least one old (apparently leaking) ballast inside, yet the drum did not have the regulatory PCB Mark on it.

As soon as I complete my inspection report I will send you a copy.

Have a good weekend.

Jim

Attachment 4
Receipt for Samples and Documents

United States Environmental Protection Agency
Washington, D.C. 20460

EPA

Toxic Substances Control Act

RECEIPT FOR SAMPLES AND DOCUMENTS

Form Approved
OMB No. 2070-0007
Approval Expires 10-31-92

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1. Investigation Identification			2. Firm Name
Date: 9-28-13	Inspector No.: F16426	Daily Seq. No.: 1	P.S. 030 HERNANDEZ/HUGHES
3. Inspector Address: US. EPA REGION 2, 2890 WOODBRIDGE AVE. EDISON, NJ 08837-3679			4. Firm Address: 144-176 EAST 126 STREET MANHATTAN, NY 10035

The documents and samples of chemical substances and/or mixtures described below were collected in connection with the administration and enforcement of the Toxic Substances Control Act.

Receipt of the document(s) and/or sample(s) described is hereby acknowledged:

No.	Description
1-14	PHOTOS ASSOCIATED WITH BALLAST CABINETS AND THEIR DECONTAMINATION.

Optional:

Duplicate or split samples: Requested and Provided ☐ Not Requested ☐

Certification

I certify that the statements I have made on this form and all attachments thereto are true, accurate, and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law.

Inspector Signature		Recipient Signature	
		Emailed on 9/28/13 TO	
Name: JAMES S. HAKLAR		Name: PHILIP NAPOLITANO	
Title: ENV. ENGR	Date Signed: 9-28-13	Title: DEPUTY DIR. OF FACILITIES NYCDOE, DSF	Date Signed:

EPA 7740-1 Rev (8-91)

Inspection File