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STATE OF VERMONT
GENERAL ASSEMBLY
SENATE COMMITTEE ON EDUCATION

May 5, 2023

Hon. Bernard Sanders
United States Senate
332 Dirksen Building
Washington, DC 20510

Hon. Peter Welch
United States Senate
G-12 Dirksen Building
Washington, DC 20510

Hon. Becca Balint
House of Representatives
United States Congress
1408 Longworth House Office Building
Washington, DC 20515

Dear Senators Sanders and Welch and Representative Balint:

The members of the Vermont Senate Committee on Education (Committee) write to you regarding the significant public health issue of polychlorinated biphenyls (PCBs) in schools and the need for federal requirements for testing and removal of these dangerous chemicals from schools in order to protect the development of children and the health of all school populations.

PCBs are a group of man-made chemicals that were domestically manufactured from 1929 until manufacturing was banned in 1979. Prior to 1979, PCBs were used in hundreds of industrial and commercial applications, including electrical and hydraulic equipment, in paint and plastic products, in pigments and dyes, and in many other applications. Because of their prevalence, the U.S. Environmental Protection Agency (EPA) believes there was widespread use of PCB-containing materials in schools built or renovated prior to 1979.

PCBs were banned from manufacturing in 1979 because they are probable carcinogens. PCBs also cause serious noncancer health effects, including effects on the immune, reproductive, nervous, and endocrine systems. Similarly, studies show that PCB exposure during child development negatively affects endocrine and cognitive systems, resulting in measurable outcomes such as reduced IQ and altered child behavior. In addition, when a person is exposed to PCBs, most commonly through food ingestion or inhalation of contaminated air, the chemicals bioaccumulate in fatty tissue, allowing for persistence of PCB toxicity in the human body.

Despite the known public health harms of PCBs and EPA's acknowledgement that the presence of PCBs in schools is likely common, there is no EPA or other federal agency requirement requiring the testing of schools for PCB contamination. Instead, EPA issued recommended school exposure levels and practical actions that school administrators can take if PCB contamination is suspected in a school. One recommended EPA "practical action" is that the school "may test indoor air" to determine if PCB levels are above the EPA-recommended exposure level, provided that the decision to test is "the school administrator's decision."

Thus, even though PCBs are widespread in schools and cause proven health effects, especially in children, the federal government passed the decision whether to test for toxic PCBs to school administrators. School administrators are not chemical experts, and they likely are working within a constrained budget that forecloses minimal discretionary spending, let alone the costs of chemical testing. As a result, at no fault of school administrators, a known, persistent carcinogen that may cause multiple significant other health effects is left to fester in our schools.

This is simply unacceptable, a fact that the Vermont General Assembly addressed when it required PCB testing of indoor air quality in Vermont schools in 2021. The testing of Vermont schools confirmed that PCB contamination is present in our schools, at times at elevated levels well above EPA's recommended exposure levels. Vermont's school communities now clearly know that PCBs may be contaminating their schools, but they also now know of the expense and disruption of PCB remediation or removal. The tension between the need to address PCB contamination and the cost of action has created anxiety in Vermont's school communities, leading to questions of when to test, to what exposure levels, and how to respond.

Individual states and individual school communities should not be forced to make the decision of whether and how to protect school communities from PCB contamination. The U.S. Congress should require testing of the indoor air in schools for PCB contamination. Congressional action should include a directive to EPA to revise its recommended exposure levels to be more protective of school populations and to make those exposure levels mandatory. When testing exceeds mandatory exposure levels, remediation should be required. Moreover, and most importantly, Congress should fund school testing for and remediation of PCB contamination in schools.

The federal government allowed the use of PCBs for decades, and EPA allowed the presence of PCB contamination in schools for additional decades. The federal government should not be excused for this lack of oversight and action. Congress should fund the testing and remediation of PCB contamination in schools to protect school communities and prevent further exposure and harm to our children.

The Committee urges you to pursue or support measures requiring testing for and remediation of PCB contamination, and we urge you to fund such requirements. Thank you for your attention to the Committee's concerns and for all that you do for Vermont. Please contact us if we can gather any additional information that you require.

Sincerely,

Members, Vermont Senate Committee on Education

Sen. Brian Champion, Chair
Sen. Martine Larocque Gulick, Vice Chair
Sen. Terry Williams, Clerk
Sen. Nader Hashim
Sen. David Weeks

CC: Governor Phil Scott
Secretary of Natural Resources Julie Moore
Commissioner of Health Mark Levine
Interim Secretary of Education Heather Bouchey