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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING BEFORE JOINT COUNCIL COMMITTEES ON
PUBLIC HEALTH & HUMAN SERVICES and PUBLIC SAFETY

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Monday, November 20, 2000

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3:15 p.m.

Room 400, City Hall

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Philadelphia, Pennsylvania

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RESOLUTION 000635 - Authorizing the City
Council's Committee on Public Health and Human
Services and Public Safety to hold an immediate
joint committee hearing to investigate the quality
levels of drinking water the City's school
children and teachers are exposed to throughout
the School District of Philadelphia in order to
assure that children and the general public are
safe from any toxic threat to their health.

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PRESENT: COUNCILMAN ANGEL L. ORTIZ, Chair
COUNCILMAN DARRELL L. CLARKE
COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN FRANK RIZZO

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2 P R O C E E D I N G S

3 COUNCILMAN ORTIZ: Good afternoon.

4 This is the recessed hearing on Resolution 000635
5 that was recessed to today. A quorum had been
6 established on the prior hearing; we will continue
7 today with the hearing.

8 Would you read this into the record,
9 please, the title of the resolution.

10 THE CLERK: Resolution No. 000635,
11 authorizing the City Council's Committee on Public
12 Health and Human Services and Public Safety to
13 hold an immediate joint committee hearing to
14 investigate the quality levels of drinking water
15 the City's school children and teachers are
16 exposed to throughout the School District of
17 Philadelphia in order to assure that children and
18 the general public are safe from any toxic threat
19 to their health.

20 COUNCILMAN ORTIZ: Thank you.

21 The health and the water of our kids
22 is, obviously, one of the most importance issue
23 that is we can have. Kids that should have the
24 expectations that they go, when they enter a
25 school building, that they will be safe, safe when

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2 they travel the hallways, safe when they are in
3 the classrooms, safe when they are in the school
4 yard, and safe when they drink the water. That
5 expectation also is shared by the parents and
6 those of us in public service.

7 It is unsettling, to say the least, to
8 find out that maybe some of our water and maybe
9 not just some, but quite widespread of our water
10 may be poisoned by lead. In this Council, in my
11 years that I've been here, we've had hearings
12 about lead poisoning and trying to abate the
13 danger and -- of lead poisoning many, many times,
14 from 1984 to the year 2000. I can tell you that
15 we have spent years investigating, trying to fix
16 up the problem in the City of Philadelphia and in
17 the different homes and row houses that we have
18 across the City. It becomes settling much more
19 so, disturbing, very disturbing when we find that
20 for years, we've had the problem with the drinking
21 water of the City of Philadelphia, in the public
22 schools.

23 So that was the reason why this Council
24 passed the resolution and set up these hearings.
25 We're glad that President Ramos, the President of

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2 the Board is here, I'm glad that we've been
3 reading in the papers that cooperation between the
4 EPA and the School Board have taking place and I'm
5 glad that -- to hear that resolutions to some of
6 these problems are going on.

7 All we want to do is to see when the
8 problem started, although that may be hard to
9 ascertain, but we want to find out what the extent
10 of the problem has been, what has been done about
11 it, and what needs -- still needs to be done in
12 order to make sure that this doesn't happen ever
13 again.

14 So could Pedro Ramos, the School Board
15 President, Thomas McGlinchy, and Marijane Hooven
16 -- Pedro, is that the team?

17 MR. RAMOS: Yes, yes.

18 (Witnesses come forward.)

19 COUNCILMAN ORTIZ: Mr. Ramos, you have
20 the microphone, you know -- you've been here
21 before, so you know the drill, identify yourself
22 for the record.

23 MR. RAMOS: Good afternoon, Chairman
24 Ortiz, Councilman Mariano, Councilman Rizzo, and
25 Councilman Clarke. My name is Pedro Ramos. I've

1 11/20/00 PUB. HEALTH AND SAFETY, RES. 000635
2 been President of the Board of Education since
3 December of 1999 and a parent in the Philadelphia
4 public schools since September of 1996.

5 I appreciate the opportunity of sharing
6 information about an issue that is important both
7 to City Council and the School District: safe
8 drinking water. With me are two key members of
9 what you might call our "Safe Drinking Water
10 Team." Mr. Tom McGlinchy, the District's Chief
11 Operating Officer, and Ms. Marijane Hooven, our
12 Environmental Manager.

13 I'm certainly not a scientist or a
14 medical expert, so I'll defer to Miss Hooven and
15 her counterparts in the City's Health Department
16 to provide technical information, but I would like
17 to share with you a brief overview of the
18 District's Safe Drinking Water Program.

19 The District entered into an agreement
20 with the City on December 31, 1999 to take a
21 number of steps in all School District buildings
22 to ensure safe drinking water. So far, these
23 measures have cost approximately -- over
24 approximately \$2.3 million.

25 A significant part of this program is a

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2 process known as "flushing." Flushing calls for
3 our building engineers, very early each morning,
4 to literally turn on drinking fountains, drinking
5 coolers, and drinking faucets to expel the water
6 that has been sitting in the pipes overnight.
7 Mr. McGlinchy will give you more details about
8 flushing later in our presentation.

9 In the December agreement, the District
10 and the City also spelled out other actions to be
11 taken. They included: taking water samples from
12 drinking and non-drinking water outlets in our
13 schools and office buildings; having these samples
14 testified by EPA-certified laboratories; and
15 taking appropriate follow-up action when the test
16 results warranted it. Pre-sample inspections got
17 underway in January of this year, with the process
18 of taking initial water samples commencing in
19 February.

20 As noted in the materials provided to
21 Council in advance, as of October 31, 2000,
22 13,968 water outlets were tested, including the
23 vast majority of the District's drinking water
24 outlets. As of today, outlets at only one school
25 remain to be sampled because an extensive bathroom

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2 modernization project is still underway there.

3 On October 18, 2000, the City and the
4 District entered into a consent decree, spelling
5 out further actions the District would take to
6 ensure safe drinking water. One item we consented
7 to was something that, in fact, predated the
8 October agreement, namely to provide bottled water
9 in schools where drinking outlets were not yet
10 tested or test results were not yet in hand.
11 That's something we started to do on October 10th
12 as a proactive way of addressing the concerns of
13 staff, parents, and students in schools where
14 tests results from water fountains and coolers
15 were not yet available. As of October 31st, 91
16 schools were receiving bottled water, awaiting
17 test results for their fountains and coolers.

18 In the October agreement, the City and
19 the District also established a timeline for
20 determining the first 50 sites for remediation, as
21 well as a schedule for remediation in all of the
22 remaining buildings.

23 COUNCILMAN ORTIZ: Could you tell me
24 how you established the criteria for selecting the
25 first 50 sites?

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2 MR. RAMOS: I would be pleased to defer
3 to my colleagues to tell you about that,
4 Councilman, or to --

5 COUNCILMAN ORTIZ: Well, finish, okay.

6 MR. RAMOS: Okay.

7 COUNCILMAN ORTIZ: You can finish,
8 Mr. Ramos.

9 MR. RAMOS: Thank you.

10 As I was saying, in the October
11 agreement, the City and the District also
12 established a timeline for determining the first
13 50 sites for remediation -- I'll have Miss Hooven
14 address that process, Councilman -- as well as a
15 schedule for remediation of all the remaining
16 buildings. In the remediation phase of the
17 program, we will go in and determine how to
18 address water outlets whose test results exceeded
19 EPA action standards.

20 In the October 18th agreement, we also
21 said we would establish a way to share information
22 about lead in water in general and our safe water
23 drinking water program in particular. Later,
24 Marijane Hooven will give you information about
25 remediation and what the agreement calls "the

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2 education aspect" of the Safe Drinking Water
3 Program.

4 I want to reiterate that the Safe
5 Drinking Water Program, which we established in
6 conjunction with the City and the EPA, is a
7 priority for the School District. We have a new
8 board of education and a new management team,
9 including the interim CEO and the COO,
10 Mr. McGlinchy. All are supportive of this
11 initiative and all agree that safe drinking water
12 deserves our full attention.

13 It's important for Council to know this
14 and our staff, students, and parents to know this
15 too. We have appointed a staff member with the
16 appropriate technical background to oversee this
17 initiative -- that's Miss Hooven. She is
18 committed to carrying out this program
19 effectively.

20 Thanks to the assistance of the City's
21 Department of Health and the EPA, we have a good
22 plan. All three organizations are on the same
23 page, and we see that as a plus as we move
24 forward.

25 Finally, we've committed time,

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2 attention, and resources to carry out this plan.
3 We've taken more than 14,000 water samples to date
4 and sent them to EPA-approved labs to be tested
5 for lead content; we've taken 594 drinking water
6 outlets out of the service, based on test results;
7 we've provided bottled water at a cost a day of
8 more than, it says here, 329,000 to schools that
9 are awaiting test results, and turned off all of
10 their water fountains until we know which ones can
11 be returned to service.

12 It says here 329,000. I'll also point
13 out, Councilmembers, that at today's board
14 meeting, which is currently recessed until a
15 couple hours from now, the board has approved
16 almost \$800,000 of expenditures of needed
17 requirements contract for the purchase and storage
18 of water under this program.

19 Finally, we are developing a work plan
20 for remediation. The District cares, it's
21 committed, and we're moving forward.

22 Before closing, I think it's important
23 to acknowledge that this project has not been
24 without its bumps along the way. We've had to be
25 diligent. On occasions, we've had to reiterate

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2 that this project is a system-wide priority, and
3 that it was to be treated as such by all employees
4 involved in it.

5 I've been personally involved in this
6 project for two reasons: First, I think that it
7 -- and I hope, that it sends a signal to the City
8 and the EPA that this project has the board's
9 support and, when and if necessary, some hands-on
10 involvement at the top; second, I've been involved
11 because any issue concerning the safety of our
12 students and staff deserves that kind of
13 attention.

14 From my interaction with the City and
15 the EPA officials, I feel confident that we can
16 and will work together to ensure safe drinking
17 water in our schools and offices. I view the City
18 and the EPA as our partners in this endeavor.
19 That's something that I've communicated to our
20 staff; I expect them to be guided by this
21 perspective.

22 I'd especially like to thank the
23 Department of Health for working with us in many
24 ways on this important initiative. The Department
25 has devoted a great deal of staff, time, and

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2 attention to our Safe Drinking Water Program.
3 And, as the project progresses, it will demand
4 much more. We appreciate this commitment to our
5 students and our staff.

6 Now I'd like to ask our chief operating
7 officer, Tom McGlinchy, to give you a brief
8 overview on flushing, sampling, and testing --
9 some of the safe components of our Safe Drinking
10 Water Program.

11 MR. MCGLINCHY: Thank you,
12 Mr. Ramos.

13 Good afternoon, Chairman Ortiz and
14 members of the Committees on Public Safety and
15 Public Health and Human Services. My name is
16 Thomas McGlinchy. I'm the Chief Operating Officer
17 for the School District of Philadelphia.

18 Generally speaking, the components of
19 the School District's Safe Drinking Water Program
20 are flushing, sampling, testing and remediation of
21 drinking water outlets, and education of the
22 public regarding the program. Mr. Ramos spoke
23 brief about the flushing component of the program.
24 Let me be a little more specific.

25 Our building engineers have been

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2 thoroughly trained in the daily process of
3 flushing sinks, drinking fountains, and coolers.
4 Building engineers are trained not only in the
5 technical process but also in the preparation of
6 daily logs of their work. Supervisory personnel
7 perform daily random checks of this work.

8 The EPA has prepared a training video
9 on the process, and copies of the EPA guidance
10 document, titled "Lead in Drinking Water in
11 Schools and Nonresidential Buildings," have been
12 distributed by the School District. The
13 District's environmental manager conducts periodic
14 follow-up checks on the process.

15 The daily flushing assignments require
16 a bit of creativity on the part of our staff. For
17 example, picture a water cooler, which is
18 activated by either pushing a button or stepping
19 on a treadle. With dozens, maybe hundreds, of
20 water outlets to flush each day, our building
21 engineers can't stand there holding the button or
22 depressing the treadle for the prescribed flushing
23 period; they've got to move on, to turn on the
24 next outlet and the next and so on and so on.
25 Consequently, they use chairs to hold down

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2 treadles or use duct tape or specially-designed
3 clamps or jigs to depress fountain buttons.

4 Flushing has to be accomplished before
5 students and staff arrive for the start of the
6 school day. This means that in an elementary
7 school, building engineers may have to start their
8 flushing duties as early as 6 a.m., in advance of
9 their regular work day. Flushing in high schools
10 may require staff to arrive as early as 4 a.m.
11 This has resulted in overtime cost of over
12 \$1.3 million through October 31st of this year.

13 Regarding sampling and testing,
14 Mr. Ramos mentioned that the District is in the
15 process of sampling both drinking and non-drinking
16 water outlets in all schools and other buildings.
17 The credentials of the firms providing the service
18 to the District are included in the material that
19 was provided you in advance of this hearing.

20 Initial sampling is very close to being
21 complete for all drinking water outlets throughout
22 the District. Outlets at only one school remain
23 to be sampled. It is estimated that the cost of
24 initial sampling and testing for all of our
25 buildings will be over \$700,000.

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2 As of October 31st, the District has
3 sampled a total of 13,968 drinking and
4 non-drinking outlets. Since the sampling and
5 testing process began last spring, 594 outlets
6 have tested at 20 parts per billion or above,
7 which is the prescribed EPA determined action
8 level. All of these outlets have been taken out
9 of service.

10 Mr. Ramos also mentioned that we've
11 been delivering water in 4-ounce sealed cups to
12 schools that were awaiting test results for
13 drinking water outlets. As of October 31st, the
14 District has spent more than \$329,000 for this
15 water.

16 Perhaps the most challenging and
17 possibly expensive component of the District's
18 Safe Drinking Water Program will be what our
19 technicians term "remediation." The District's
20 Environmental Service Manager, Marijane Hooven,
21 who holds a master's degree in environmental
22 health and is a certified occupational and health
23 safety technologist, is here to explain the
24 remediation and educational aspects of the
25 District's program.

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2 MS. HOOVEN: Thank you.

3 COUNCILMAN ORTIZ: Microphone, and
4 identify yourself for the record, please.

5 MS. HOOVEN: Hi. My name is Marijane
6 Hooven.

7 COUNCILMAN ORTIZ: You got to move that
8 closer to you.

9 MS. HOOVEN: And I'm manager of the
10 School District's Environmental Office. Thanks
11 for that introduction.

12 The School District has firsthand
13 experience now that flushing, sampling, and
14 testing activities associated with outlets in
15 larger, older buildings are both time-consuming
16 and expensive. However, it may very well be at
17 this point that the most expensive phase of the
18 water quality project has not yet begun. And what
19 I'm referring to there are the expenditures that
20 will be associated with the remediation.

21 While it's not possible at this time to
22 provide you with an accurate estimate of the
23 actual costs that will be associated with the
24 remedial actions the District does take, I can
25 provide you with a general overview of the

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2 approach the School District intends to use while
3 it moves through this phase of the project.

4 The first step that we need to do is
5 identify School District locations that require
6 remediation. There are 298 buildings in the
7 program, and to date, we have sampled all of
8 Category I and Category II outlets in 240 of those
9 locations. Of the remaining 58, we have sampled
10 all Category I outlets in 57; we have one school
11 left to do again because of the massive --

12 COUNCILMAN ORTIZ: People don't know
13 what a Category I is.

14 MS. HOOVEN: I'm sorry. Category I is
15 all drinking water outlets, ice makers, and hot
16 and cold faucets in full-service kitchens and home
17 ec. rooms.

18 COUNCILMAN ORTIZ: Slower.

19 MS. HOOVEN: Okay.

20 COUNCILMAN ORTIZ: She needs to be able
21 to take this down (referring to stenographer).

22 MS. HOOVEN: Okay. Category II outlets
23 are hallway sinks, bathroom sinks, and classroom
24 sinks.

25 Okay, as I mentioned, we have to

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2 identify School District locations that require
3 remediation, and we have 298 buildings. Based on
4 information we have to date, I think it's very
5 fair to say that 95 percent of School District
6 buildings will require some degree of
7 remediation. I don't want that large percentage
8 to unnecessarily alarm anyone, because if you read
9 the definition of "remediation," if I put one
10 outlet out of service in one building, I have
11 performed remediation, and I have done that in
12 several instances.

13 So just now that you're more aware of
14 the scope of the problem the School District has
15 to face with this large number of buildings, I
16 think a more logical approach would be to take a
17 smaller number of buildings, focus on them,
18 identify what needs to be done, do it, and move
19 on. That way, we're taking a very large project,
20 we're putting control on it, and it's going to
21 make it easier for us to record and report our
22 findings to anybody who wants to know.

23 I feel the other agencies involved --
24 the Health Department and the EPA -- are in
25 agreement with us because, actually, as part of

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2 the October 18th agreement, we are to have turned
3 in, by April 1, 2001, the first 50 sites for
4 remediation.

5 Now, you brought up earlier how are
6 they going to be determined, I can't give you that
7 answer right now because that will be an
8 interdepartmental decision. It won't be the
9 District's decision; it will be discussions with
10 EPA and the Health Department.

11 COUNCILMAN ORTIZ: But while all of
12 these things are happening, the need for
13 remediation and all of those types still is
14 needed.

15 MS. HOOVEN: Yes.

16 COUNCILMAN ORTIZ: And while we wait --
17 and we know what lead does, I don't even have to
18 -- lead is harmful to learning.

19 MS. HOOVEN: Right, but a very
20 important remedial --

21 COUNCILMAN ORTIZ: And just even a
22 small percentage of lead -- you know, it isn't
23 just, as we discussed here and we've gone through
24 a very long teachers' educational discussion over
25 the last year about learning curve and so on. We

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2 know that kids' learning curve is affected not
3 just by classroom environment and learning tools
4 that they have, but if they -- if they have lead
5 in their water for any minimum of time, and it
6 could be a minuscule percentage, and their
7 learning capacity is affected.

8 MS. HOOVEN: Well --

9 COUNCILMAN ORTIZ: I mean, it -- it --
10 I don't -- I don't mean to be -- but it -- to me,
11 this is of great urgency. I know that --

12 MS. HOOVEN: I agree.

13 COUNCILMAN ORTIZ: I know that Pedro --
14 Mr. Ramos has kids in the public school, and so do
15 I.

16 MS. HOOVEN: Well --

17 COUNCILMAN ORTIZ: And as all the other
18 parents. I mean, just tell me. I mean, by --

19 MS. HOOVEN: Well --

20 COUNCILMAN ORTIZ: May 1, 2001 --

21 MS. HOOVEN: Well, I think, like, the
22 next thing I want to say is that the easiest,
23 least expensive acceptable long-term remediation
24 for any category of any outlet that has a lead
25 concentration above the actual level is to put it

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2 out of service, and we have done that. And every
3 school where every drinking water outlet came
4 above the action level, they've all been removed
5 from service.

6 And, quite frankly, I would like to
7 stress that that is a remediation that the
8 District would really like to follow. It is the
9 quickest, easiest, cheapest thing to do to
10 eliminate a lead hazard in the schools, and we
11 have really -- we've done all of that already.

12 And I would like to say that we are
13 going to look at putting out of service
14 permanently as a major part of our remediation.
15 We have 41 schools right now where daily flushing
16 activities are no longer required because every
17 outlet has been tested and every outlet -- sinks
18 and drinking water outlets -- above the action
19 level have been removed from service. So we may
20 very well have completed the remediation of --

21 COUNCILMAN ORTIZ: And what have they
22 been replaced with?

23 MS. HOOVEN: Pardon me?

24 COUNCILMAN ORTIZ: What have they been
25 replaced with? If you closed them and you have

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2 removed them from service, water is still needed
3 on a daily basis for the kids.

4 MS. HOOVEN: Right. But as long as we
5 removed them from service and no health codes are
6 affected and the Health Department and the EPA are
7 in full agreement with --

8 COUNCILMAN ORTIZ: What I'm asking is
9 if you have removed these things from service --

10 MS. HOOVEN: Right.

11 COUNCILMAN ORTIZ: -- what has been the
12 replacement?

13 MS. HOOVEN: We are possibly not
14 looking to replace because we have enough outlets
15 to exceed health code. That's a major issue that
16 we're in discussions with the Health Department
17 and the EPA is that if we have substantial outlets
18 available that exceed health code, a big
19 remediation we would like to look at is to leave
20 out of service permanently, remove from the wall.

21 COUNCILMAN ORTIZ: I don't disagree
22 with you. You see, I don't -- we're not in
23 disagreement. I'm saying to you, if you have
24 closed these things and put them out of service, I
25 imagine that you have not closed the school,

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2 right?

3 MS. HOOVEN: Right.

4 COUNCILMAN ORTIZ: The school is still
5 open.

6 MS. HOOVEN: Right.

7 COUNCILMAN ORTIZ: So kids, teachers,,
8 janitorial staff, everybody else, parents are
9 going in there daily. If you have removed them
10 from service in these schools, what have you done
11 in order to supply water?

12 MR. RAMOS: I'll ask Mr. McGlinchy to
13 correct me if I'm wrong on this because, as I've
14 said, I'm not technician here, but I think what
15 happens is that you basically get to a point --
16 you are closing off individual faucets. If you
17 get to a point where you've closed off too many of
18 then, then you're ending up providing bottled
19 water.

20 COUNCILMAN ORTIZ: You're ending up
21 with what?

22 MR. RAMOS: Bottled water. If you've
23 closed too many faucets in this process of this
24 type of remediation, you end up with bottled water
25 to make sure that kids --

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2 COUNCILMAN ORTIZ: So you have -- then
3 the answer is -- right, Mr. Ramos? The answer is,
4 you are supplying bottled water in these places.

5 MR. RAMOS: If -- if -- I think that
6 what Miss Hooven was reacting to was -- take a
7 school like Olney. I think the number of -- and I
8 don't -- I just know what folks tell me here, but
9 the number of faucets in Olney was 400, something
10 like that?

11 COUNCILMAN ORTIZ: Olney High School,
12 you're talking about?

13 MR. RAMOS: I'm just picking one out.
14 I have no idea what the facts are with Olney.

15 COUNCILMAN ORTIZ: Huge.

16 MR. RAMOS: But I'm just picking one
17 that I know has 400 water faucets.

18 If in the process of testing, they
19 figure out that some of those have to be turned
20 off, at the end of the day what they do is, they
21 look to see -- if they've turned off some but they
22 still have enough sources of drinking water, then
23 they might just leave the ones that they've turned
24 off permanently turned off.

25 If they get to a point where they've

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2 turned off so many that there aren't enough
3 sources of water in the building, then they would
4 provide bottled water, in addition to the
5 fountains they have left open.

6 COUNCILMAN ORTIZ: But what we want to
7 find out is how many of those places have been
8 turned off so that you have to supply water, how
9 many of those places are getting supplied with
10 bottled water right now? And I'd like a list of
11 those places to be given to this chair here and a
12 listing of -- and at least a perspective of when
13 we can expect, because that becomes quite
14 expensive. And I imagine that in terms of
15 remediation, that you're going to talk and address
16 -- you would address, as you said, you're in
17 conversation with the EPA and the Health
18 Department and that it may require just a ripping
19 off of these pipes, right?

20 MS. HOOVEN: (Nods.)

21 COUNCILMAN ORTIZ: And how far advanced
22 are we in that analysis of infrastructure repair
23 that may need to be done. Because we all know
24 that our schools, the average age of our schools
25 is 65 years old. We replace stadiums when they

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2 get to be 25 years old. And stadiums, it seems,
3 are easily more replaceable than our schools and
4 are much more expensive, but we replace them when
5 they get to be 25, because they become
6 uncomfortable to millionaires. And we have
7 schools that are 65 or older.

8 How are we going to do that? And what
9 will be the projected or estimated expense as to
10 that infrastructure? Because I believe it's
11 needed, but. . .

12 MS. HOOVEN: Well, I -- to -- as far as
13 remediation, the first thing we want to do is look
14 at the most accessible replaceable component of
15 the affected outlet; that's the easiest thing to
16 do first before we even consider going behind
17 walls, that would be the last alternative.

18 But the first thing, as far as easily
19 replaceable unit -- part or component of the
20 outlet could be at actually the bulbar head
21 itself, or it could be the screen within the bulbar
22 head that is no longer filtering but it's trapping
23 sediment and causing a problem with the drinking
24 water.

25 So what we would do is, that easiest

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2 component first would be removed or replaced and
3 then we retest. If the outlet passes, then we're
4 done the remediation. If not, then we have to go
5 to more extensive remediation, which might involve
6 the brass fitting to the outlet or it might
7 involve the supply line from the wall to the
8 unit.

9 But there is a sequence of events that
10 has to be followed that we try the easiest, most
11 accessible first, and if we get to a point that it
12 has to go behind the wall, that will be an issue
13 to discuss, but we -- we -- the plan is to try the
14 easiest, most accessible replaceable components
15 first and hope that they work.

16 COUNCILMAN MARIANO: Miss Hooven -- if
17 I may, Councilman. What you do is, you go in and
18 you set the screen and the bulbar, right? Then
19 you work that down and you could possibly take the
20 whole fountain off the wall.

21 MS. HOOVEN: Right.

22 COUNCILMAN MARIANO: And then you test
23 that there, before you touch any pipe inside of
24 the wall, right?

25 MS. HOOVEN: Absolutely.

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2 COUNCILMAN MARIANO: So you do the
3 whole outward water fountain and the outlets --

4 MS. HOOVEN: Yeah, you work from the
5 outside in.

6 COUNCILMAN MARIANO: So, have we done
7 any of this yet to see where we are, or is it
8 inside of the wall?

9 MS. HOOVEN: No. We have --
10 remediation is a step that we -- we are not to
11 perform any remediation in a sense, other than
12 putting out a service, without the EPA and Health
13 Department approval on an individual basis, an a
14 school-by-school basis.

15 COUNCILMAN MARIANO: Councilman, if
16 you'll just give me a minute here.

17 To the School District's knowledge, is
18 there any other school districts locally, around
19 here or nationally that has a comparable project
20 to what's going on here? I mean, this is -- I
21 mean -- you know, Boston must have the same
22 problems as us, New York, where, you know, the
23 schools are just as old.

24 MR. RAMOS: I don't know whether MJ
25 knows of any all. I mean, all I know is

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2 anecdotally what I've heard, that many years ago,
3 Baltimore had done something and Washington may
4 have done something or was thinking about doing,
5 but, I mean, this is -- you're right in terms of
6 pointing out the scope, and it's something that's
7 been amazing to me, which is that this is an issue
8 that really affects, as I understand it buildings
9 -- all buildings, really, in the United States
10 built before 1991.

11 And I know that -- I thought, you know,
12 it, you know, it certainly made me think
13 differently about what we do at home and that --
14 and I think the other thing is that we have, you
15 know, that over time, these fixtures have been
16 there in all of our buildings and probably in the
17 world.

18 COUNCILMAN MARIANO: But, again,
19 Mr. Ramos, not to interrupt you, and I appreciate
20 your honesty in trying to answer this, but look,
21 we're not here reinventing the atom here, or even
22 the wheel at this point. I mean, the Housing
23 Authority, the Department of Recreation, do we
24 have -- do we know about programs that they have
25 with lead? I mean, this isn't something new. I

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2 mean, it might be new and scary, but we have kids
3 in them rec centers still and we have kids,
4 whether they're in them PHA houses and adults and
5 all the people the good councilman spoke about.

6 MR. RAMOS: Well, we can't speak for
7 other organizations.

8 COUNCILMAN MARIANO: Does anybody else
9 there know about that?

10 MR. RAMOS: We just don't know.

11 MS. HOOVEN: The Housing Authority has
12 a major lead-based paint program.

13 COUNCILMAN MARIANO: No, but the reason
14 I'm -- the reason I want to know is, if the
15 Housing Authority per se is doing something like
16 that, Councilman, then maybe there can be time and
17 energy saved, where we're spinning our wheels,
18 when we could find out what they do.

19 MR. RAMOS: The response I've gotten to
20 similar questions, Councilman, and we -- and, you
21 know, and would ask staff to update that, you
22 know, is that our efforts and many other public
23 agencies have historically focussed more on lead
24 paint, which is much -- you know, in terms of the
25 risk of exposure is a much bigger problem. And to

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2 some extent, we've been working, you know, with
3 the help of the Health Department and the EPA and
4 we have felt like we're somewhat breaking some new
5 ground here because we do have a very old
6 infrastructure and we're trying to get ahead of
7 this, knowing that there are a whole lot of -- you
8 know, that there are a whole lot of risks that
9 children are exposed to and to the extent that we
10 can help minimize one of those risks, we feel an
11 obligation to do that.

12 COUNCILMAN MARIANO: Thank you.

13 COUNCILMAN ORTIZ: Councilman Rizzo, do
14 you have something?

15 COUNCILMAN RIZZO: I don't think it's a
16 bad idea myself to learn from other people's
17 experiences. And I think that, you know, if I
18 ever had any criticisms, it's sometimes we
19 hesitate in reaching out, and we have to build our
20 own process before we learn from other people's
21 mistakes or successes. I don't know why we should
22 even hesitate to reach out to other areas.

23 And, again, you can beat it to death,
24 and I think we sometimes we reinventing the wheel
25 to death --

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2 MR. RAMOS: Yeah, if you'd like for Tom
3 McGlinchy to share -- I mean, I know that Tom's
4 made at least some phone calls in the process over
5 the last, you know, year or so to some other
6 places, and we'd be happy to have him share that.

7 COUNCILMAN RIZZO: Thank you
8 Mr. President.

9 The question I have for Mr. McGlinchy,
10 I'm just curious, is the flushing process, the
11 outlets that you maintain for use. School's over
12 at whatever, let's say 2:30, and that outlet is
13 not used again till it is flushed the next
14 morning. I'd be curious to see some numbers. You
15 bring people in at 4 o'clock, we've wasted -- we
16 don't even consider the water that we've put down
17 the drain in any of this scenario and the
18 thousands and hundreds -- probably thousands of
19 gallons of water that's going down the drain.
20 Does the School District pay for the water?

21 MR. MCGLINCHY: Yes.

22 COUNCILMAN RIZZO: Because it's lots of
23 water down the drain. At 4 o'clock in the
24 morning, you irrigate, you flush a fountain.
25 School starts at what time?

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2 MR. MCGLINCHY: Oh, say, 8 o'clock in
3 the high school.

4 COUNCILMAN RIZZO: A lot of kids -- I
5 don't know how much water they consume at 8:30 in
6 the morning, but I assume that the fountain then
7 becomes usable. At 4 o'clock, when you flush it,
8 how long do you flush it at 4 in the morning, 5 in
9 the morning?

10 MR. MCGLINCHY: Well, it depends on the
11 size of the building, but it could be a couple,
12 three hours in a large high school.

13 COUNCILMAN RIZZO: So one fountain is
14 running for three hours now.

15 MR. MCGLINCHY: Yeah.

16 COUNCILMAN RIZZO: What time do they
17 actually shut it off? In other words, you put the
18 chair on the trip liver, the fountain is flushed,
19 it's shut off. At that point, has anyone ever
20 tested, when you shut the fountain off, what the
21 numbers are before it's next used? In other
22 words, if it's sitting there after it's been
23 flushed for two hours, three hours, have you
24 really accomplished anything?

25 MR. MCGLINCHY: Well, let me answer the

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2 question about -- the whole purpose of flushing in
3 the early morning is because the water has -- has
4 been inactive for, let's say, 12 hours or so, and
5 that's where you get the highest buildup of lead
6 in the water. The initial flush of the whole
7 building essentially cleans the pipe of that
8 buildup.

9 When the building is in service, most
10 of those fountains are being constantly used
11 during the day, so you have the water running
12 through the system and you prevent the kind of
13 buildup you would experience at -- if it had lain
14 there for 8 to 12 hours.

15 COUNCILMAN RIZZO: That's not the
16 period of time I'm really talking about.

17 MR. MCGLINCHY: No, it --

18 COUNCILMAN RIZZO: I'm talking about
19 the period of time -- you start flushing at 5
20 o'clock in the morning, you flush it for a half
21 hour. At 5:30, 6:30, 7:30, 8 o'clock what's
22 occurred during that period of time?

23 MR. MCGLINCHY: We flush the building
24 until -- essentially, until the occupants come
25 in. What occurs after that is, the fountains are

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2 use, the outlets are used to some degree or other,
3 so they're not laying inactive for eight to ten
4 hours.

5 COUNCILMAN RIZZO: So you're flushing
6 them for the next --

7 MR. MCGLINCHY: The occupants, in a
8 way, are flushing because they're using the water.

9 COUNCILMAN RIZZO: But my point being,
10 at 4 o'clock in the morning at a particular
11 school, someone puts the duct tape over the
12 button, that fountain runs until school begins.
13 There's no period between when the flushing
14 process occurs till the first water's consumed.

15 MR. MCGLINCHY: Well, if you'll picture
16 a high school where the building engineer starts
17 at the highest point of the school and just works
18 their way down to the first floor, turning on all
19 the outlets, then goes back to the top and shuts
20 them off in the same sequence.

21 So you can never have it where you time
22 it exactly when the building occupants are in.
23 However, I think your point is, at some -- during
24 some period of time that the water is laying
25 inactive, before the building occupants are there.

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2 COUNCILMAN RIZZO: Exactly.

3 MR. MCGLINCHY: In our judgment, and
4 Miss Hooven can tell us if they've tested outlets
5 that have been laying for two hours. In our
6 judgment, the initial flush, which is the purging
7 the pipes of the water that has for eight to ten
8 hours and built up highest concentration of lead
9 is the safest method to go, short of shutting off
10 water in the entire building.

11 COUNCILMAN RIZZO: Has there been any
12 research or any -- and I know we have plumbing
13 codes in the City of Philadelphia. Have there
14 been any -- is there any kind of concepts out
15 there or technology to put a pipe within a pipe or
16 to put something through the system that would
17 seal off and encapsulize the lead? I mean, have
18 we looked at that before we start ripping walls
19 apart?

20 MR. MCGLINCHY: Well, since this
21 problem has become public, I get about a call a
22 week on a new method of addressing the problem.
23 As a matter of fact, we're looking at one that is
24 used in naval vessels for coating the inside of
25 the pipes with epoxy. That is kind of an extreme

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2 method. We don't think we're going to have too
3 many schools where we literally have to go into
4 the piping systems.

5 But there are filters, there are
6 coatings on pipes, there are stainless steel,
7 there's ceramic fixtures for fountains, there are
8 all kinds of things that are being looked at by
9 the District and, I'm sure, by the Health
10 Department, as a way to address this problem down
11 the road.

12 COUNCILMAN RIZZO: Is there a point
13 where the lead that's actually used in the joint
14 leaches away to the point where there's -- the
15 problem doesn't exist any longer? Is there a
16 point where this problem fixes itself?

17 MR. MCGLINCHY: I'll let Miss Hooven
18 answer that.

19 MS. HOOVEN: What basically happens is,
20 you might think that older buildings are going to
21 be the worst; that's really not the case. The
22 older buildings really should be the better
23 because with all of the years of the Water
24 Department putting chemicals in the water for the
25 purpose of getting to building to get inside the

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2 piping, it coats. And what happens when the water
3 changes the temperature cooler in the building,
4 the chemicals they put in get dissolved and they
5 come out of solution and they are actually meant
6 to line the surface of the interior pipe.
7 Therefore, if you have a change in water quality,
8 for whatever reason -- maybe the water is a little
9 more acidic that day, a little warmer, it's moving
10 a little bit faster -- with that coding on the
11 pipe, it's not going to have the corrosive
12 characteristics that it would because of the
13 chemicals that have coded, and those are what's
14 leached off into water, more like calcium and
15 things like that instead of lead.
16 COUNCILMAN RIZZO: Thank you.
17 MS. HOOVEN: Okay.
18 COUNCILMAN RIZZO: It's a big
19 challenge, and I would again encourage us to -- to
20 look around.
21 COUNCILMAN ORTIZ: I'd like to go back
22 as to when actually we -- because it -- this
23 precedes your tenure, Mr. Ramos, so it's -- it
24 can't be -- the blame doesn't go on. This is a
25 problem that we here in City Council, in 1990, in

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2 December 1990, held hearings on -- in school, the
3 contamination in school water coolers. And at
4 that point, we in Council appropriated over
5 \$680,000 to sample school drinking water outlets
6 for lead contamination. And according to EPA
7 reports, at least 60 schools are included in the
8 sampling that was done in 1991 and 1994. By at
9 least two contractors that you hired Testwell,
10 Craig & Con (ph.).

11 I'd like to know what the results of
12 those reports were. And if those reports that
13 were done from the period 1991 to 1994 actually
14 uncovered this problem. And then I would like to
15 find out if this problem was known since that
16 time, why did it take so long to begin taking the
17 steps that we are now looking at taking? Because
18 we knew there was there was a problem as early as
19 1990. We sat here in this body.

20 And so I'd like a copy of those
21 reports. I'd like to find out what those reports
22 say about that? I'd like to -- can I get that,
23 Mr. Ramos?

24 MS. HOOVEN: That was before my time,
25 and we have one set of files --

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2 COUNCILMAN ORTIZ: I do know that we
3 don't throw things out in the School Board, I hope
4 not, that once it changes administration --

5 MS. HOOVEN: What I can tell you is,
6 when I started in -- I started in late July 1994
7 as the asbestos supervisor and I took over the
8 Department in '96. The record-keeping was.

9 MR. JOHNSON: Poor. As far as any
10 memos or anything, there were none. We had one
11 set of files.

12 COUNCILMAN ORTIZ: What EPA received
13 from the School District in August 1999, and I --
14 if they received it in August of 1999, somebody
15 must have sent it over.

16 MS. HOOVEN: I don't know what they
17 received in August 1999.

18 MR. RAMOS: Councilman, I think there
19 was --

20 COUNCILMAN ORTIZ: They received a
21 report by the contractors, which was Testwell,
22 Craig & Con.

23 MR. RAMOS: I'm not sure that you guys
24 are talking about the same thing. We'll get --
25 you know, we'll review this and also make --

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2 double-check with staff to make sure we've got the
3 right request and provide anything that would be
4 in the ballpark of being responsive that we have.

5 COUNCILMAN ORTIZ: Yes, Councilwoman
6 Miller?

7 COUNCILWOMAN MILLER: Good afternoon.
8 I have question here. I just want to understand
9 this a little bit better.

10 If you've taken 594 drinking water
11 outlets out of service, what exactly does that
12 mean as it relates to the total number of
13 schools?

14 MR. MCGLINCHY: Councilwoman, the 594
15 outlets taken out of service are spread across
16 200-and-some schools. We have a list of just how
17 many outlets were taken out of service in each
18 individual school.

19 COUNCILWOMAN MILLER: Okay. And how
20 many outlets are in each individual schools? Is
21 that included on the list too?

22 MR. MCGLINCHY: Yes.

23 COUNCILWOMAN MILLER: For example, when
24 you said Olney had --

25 MR. MCGLINCHY: Yes.

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2 COUNCILWOMAN MILLER: -- 400 outlets --

3 MR. MCGLINCHY: Yes.

4 COUNCILWOMAN MILLER: -- does that mean
5 that Olney has 400 drinking outlets?

6 MR. MCGLINCHY: No.

7 COUNCILWOMAN MILLER: No, I didn't
8 think so. 'Cause just recently, I was at
9 Germantown High School and I couldn't even imagine
10 400 drinking water outlets in a high school.

11 What I -- and I'd also like to get more
12 information about the safety program and how
13 you're explaining to children, particularly young
14 children in elementary school, because, you know,
15 on occasion, children will go into a restroom,
16 wash their hands, and then, you know, use their
17 hands as a cup to get water from a faucet that's
18 in a bathroom. So how are these children -- what
19 kind of safety program do you actually have as it
20 relates to educating the children in the actual
21 school, particularly in the elementary school?
22 Well, in all schools, but. . .

23 MS. HOOVEN: What we are -- part of the
24 water quality project, one of the aspects is
25 education and there are two components. As far as

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2 the public education, what we're doing is, we're
3 working with the Health Department and the EPA,
4 and we're creating an informational brochure that
5 we're almost finished the final draft on that, and
6 it's a very good brochure; the dialog is very
7 short and concise, and the illustrations that go
8 along with it are very simple to understand, and
9 it gives a good picture of other potential
10 exposures of lead for children in all areas, and
11 ways that they can reduce or eliminate those
12 exposures. Those brochures, when they are done
13 and ready, they will be handed out and they will
14 be sent to all School District locations to be
15 sent home with each student.

16 In addition to that, while working with
17 the Health Department and the EPA, we have
18 developed signs that we're putting up over
19 bathroom sinks and classroom and hallway sinks
20 because we just-- we're trying to get out there.
21 And it's not just for schools included in the
22 program; this is for every school in the City of
23 Philadelphia, whether it's brand new or doesn't
24 apply to the program, we're putting a sign over
25 sinks saying "Do Not Drink From These Sinks," and

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2 the learning we're trying to get out there is
3 sinks -- we want you to get the mentality that
4 sinks were not made -- we don't want you to drink
5 from them, we want you to drink from drinking
6 fountains and water coolers.

7 So that just started, and it seems to
8 be going pretty well. I get some phone calls
9 concerning what does it mean. When I explain that
10 it doesn't necessarily -- we are doing this School
11 District-wide, in every School District building,
12 in every bathroom, and over every sink to get the
13 education out there to not drink from sinks.

14 COUNCILWOMAN MILLER: Okay, so you --

15 MS. HOOVEN: Our brochure is a really
16 nice brochure.

17 COUNCILWOMAN MILLER: So even before
18 the brochure is developed, is that kind of message
19 being conveyed now that there is a problem?
20 Without the brochure, are teachers telling young
21 children in particular --

22 MS. HOOVEN: Yes.

23 COUNCILWOMAN MILLER: Okay. And how
24 does the distributing of the bottled water work?
25 Is it easily accessible for students to get the

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2 water, or do they have to go through a hassle or
3 some cumbersome type of arrangements to get water
4 if they're thirsty?

5 MR. MCGLINCHY: Councilwoman, what
6 we've done is located the -- we have 4-ounce
7 plastic cups with a peel-back lids, similar to
8 what you might get on an airline. Actually, the
9 bottler that we're buying from now --

10 COUNCILWOMAN MILLER: Like those for
11 juice.

12 MR. MCGLINCHY: -- also supplies of
13 airlines.

14 We take those cups and we locate them
15 in a -- actually, it's a tub we bought from Home
16 Depot, and we placed that tub next to water
17 fountains designated by the principal. It could
18 be every water fountain in the building or it
19 could be just certain water fountains.

20 COUNCILMAN ORTIZ: With ice?

21 MR. MCGLINCHY: Pardon me?

22 COUNCILMAN ORTIZ: With ice?

23 MR. MCGLINCHY: No, we do not -- we do
24 not have the capacity to put ice in all of those
25 things, and ice poses -- also poses a health

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2 problem when water is sitting exposed like that.

3 Water is delivered to a school. It can
4 be on a daily basis, but now what we've done is
5 kind of got our inventory in order so we don't
6 have to make daily deliveries. It's distributed
7 by food service folks throughout the building. So
8 we have a pretty good system to get the water to
9 the various locations within a school and to keep
10 it stocked.

11 COUNCILWOMAN MILLER: Okay. So then
12 children really don't have -- students don't have
13 to get permission to get a cup of water. Of
14 course, they -- I'm not saying that once they're
15 in their class permission, they don't need
16 permission to leave. But just in general, if I'm
17 walking down the hall and I'm thirsty, I can go to
18 the fountain and just get a cup of water.

19 MR. MCGLINCHY: I would say -- I can't
20 speak for all the principals, but if the principal
21 allowed you to go to the fountain when you were
22 walking down the hallway, I don't see why they
23 wouldn't allow you to -- I would not see why the
24 child wouldn't be allowed to go to the cup.

25 COUNCILWOMAN MILLER: The ice doesn't

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2 particularly -- I know that the water that comes
3 out of the fountains, that's warm water, that's
4 not -- well, at least at the schools I drank water
5 out of, the water's not ice-cold, so -- but at
6 least it's something that the people can have to
7 drink, to quench their thirst. Okay.

8 COUNCILMAN ORTIZ: Councilwoman, are
9 you finished?

10 COUNCILWOMAN MILLER: Yes, thank you.

11 COUNCILMAN ORTIZ: Let me -- if you
12 would indulge me here.

13 COUNCILMAN RIZZO: Excuse me, could I
14 just follow up for, like, 30 seconds?

15 COUNCILMAN ORTIZ: Go ahead, 30
16 seconds.

17 COUNCILMAN RIZZO: Could -- you comment
18 on the health standards, and I don't want to open
19 up a Pandora's Box here and I know this has been
20 kicked around for a lot of years.

21 COUNCILMAN ORTIZ: We have the Health
22 Commissioner here so --

23 COUNCILMAN RIZZO: What standards does
24 bottled water have? Because I remember a
25 particular company in the City of Philadelphia

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2 that was charged with filling up bottled right out
3 of the Philadelphia -- out of the fire hydrants.
4 Are bottled -- in other words, when we see a
5 bottle of water, like over there in the corner, is
6 it regulated? Is there any standards that they
7 need to meet? I understood that that was one of
8 the most unregulated industries in the United
9 States at one time.

10 MR. MCGLINCHY: Well, I can let Miss
11 Hooven speak to that, but I will tell you that
12 when we secured this water, one of the first
13 things we did was, there should be a license, a
14 bottled-under license number or something by "so
15 and so" on each one of those cups, and we checked
16 with the bottler and we checked the analysis of
17 what was in the water, and Miss Hooven did that,
18 but she can speak to whether or not bottled water
19 is now better regulated.

20 MS. HOOVEN: I'm not going to say that
21 it's better, but it's now better regulated. What
22 happens is, where the water is supposed to --
23 where they allege the water comes from is very
24 strictly controlled and they'll do samples from
25 the spring where the water is taken from, and then

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2 after the water is processed in those little
3 containers, they do another set of quality-
4 assurance, quality-control testing to see if
5 during the manufacture of the bottles to put them
6 in the little containers, did anything happen to
7 damage the quality of that water.

8 So there aren't bottled-water
9 standards, but there are standards and licenses
10 that people that supply the bottled water have to
11 have -- they have to have a State license and they
12 have to have a license for their spring.

13 COUNCILMAN RIZZO: What about the fact
14 -- what about -- do we -- is there inspections of
15 where it's actually put into the bottles? In
16 other words, when we get a bottle of -- a
17 five-gallon bottle of water, the spring -- it
18 might have come from the spring and we're
19 satisfied with that, but what about the process of
20 when it got put in the bottle? Is there some
21 regulation or --

22 MS. HOOVEN: Usually what they do again
23 is, when they take the water from the spring,
24 right from the spring, there's a test for -- I
25 can't name you the number of things they look at.

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2 After that water has gone through the processing
3 plant and is bottled, they take another sample to
4 see if the quality of the water changed from the
5 spring through the processing.

6 COUNCILMAN RIZZO: So is -- again, I
7 hate to put this on you, but is bottled water
8 better than our City water?

9 COUNCILMAN ORTIZ: I can tell you that
10 the only -- this water, probably the only thing
11 that it doesn't have is fluoride.

12 COUNCILMAN RIZZO: Isn't that something
13 that want in the water, fluoride for our kids'
14 teeth?

15 MS. HOOVEN: Fluoride's added for
16 teeth, right.

17 COUNCILMAN RIZZO: So there's no
18 fluoride in that water?

19 COUNCILMAN ORTIZ: Fluoride, you know,
20 the dental --

21 COUNCILMAN RIZZO: Yeah, it's not in
22 there?

23 COUNCILMAN ORTIZ: Not in spring water,
24 no. I don't think spring water -- the Nature
25 Valley doesn't come with --

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2 COUNCILMAN RIZZO: Answer the
3 question. In your opinion -- you're a
4 professional. In your opinion, and I don't want
5 to use the word "better," would you say that
6 bottled water is superior to municipal water?

7 MS. HOOVEN: No, I wouldn't because
8 suppliers of public water have to meet.

9 MR. JOHNSON: Strict standards under
10 EPA guidelines, and that's very strict that the
11 City supply good water, and there's specific
12 components that they evaluate.

13 I wouldn't say it's better; I'd say
14 you're looking at -- you're looking at spring
15 water as opposed to publicly supplied water,
16 you're looking at --

17 COUNCILMAN ORTIZ: If the water in the
18 public schools did not contain some pieces of
19 lead, it would be very good for the kids because
20 of fluoride and other things that it has.

21 COUNCILMAN MARIANO: But is it true
22 that if it has a fancy French name, it tastes
23 better? That's what I need to know.

24 (Laughter.)

25 COUNCILMAN ORTIZ: I believe we should

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2 not concern ourselves with this mineral water, if
3 I may, Councilman, okay?

4 COUNCILMAN MARIANO: Yeah, it's the
5 lead.

6 COUNCILMAN ORTIZ: Because we've got to
7 get to the aspect of the school and the lead and
8 the --

9 COUNCILMAN RIZZO: Well, I just want to
10 make sure that we're not substituting something
11 that might -- you pointed out something: we're
12 substituting water that doesn't have fluoride.
13 And I think we fought for a lot of years to put
14 fluoride in the water as a --

15 COUNCILMAN ORTIZ: Well, that's why we
16 have --

17 COUNCILMAN RIZZO: I don't want to see
18 us pull the fluoride out then --

19 COUNCILMAN ORTIZ: But that's why we
20 have to fix the problem.

21 MR. RAMOS: You know, I guess our take
22 on this would be that to -- bottled water for now
23 -- bottled water for us, at the scale that we're
24 using it now, is an interim measure while other
25 remediation -- while some type of remediation

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2 takes place.

3 MS. HOOVEN: Right.

4 MR. RAMOS: So it's not that, you know,
5 we're permanently replacing --

6 COUNCILMAN RIZZO: I think you
7 understand where I'm coming from. Again, I'm
8 pleased to learn today that there are regulations,
9 but I was just concerned that some of the reports
10 that I've read that some of the bottled water --
11 we might be giving the kids something that we
12 don't want to be giving them as a substitute for
13 the water that is provided in the school system,
14 and that was my only concern and I learned
15 something here today about how bottled water is --

16 COUNCILMAN ORTIZ: If I may, Mr. Ramos,
17 I want you to indulge me with this. I want to --
18 have here the testimony of Mr. Bradley M.
19 Campbell, he's the Regional Administrator of the
20 EPA, and he could not be here, but his testimony
21 -- he sent in his written testimony, which will
22 be made a part of the record.

23 (A copy of Mr. Campbell's written
24 testimony was not provided to stenographer for
25 inclusion herein.)

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2 COUNCILMAN ORTIZ: And he gives a brief
3 chronology of the EPA's involvement in a manner
4 which is disturbing because of the timeline that
5 is present.

6 MR. RAMOS: Councilman, could we have a
7 copy of that?

8 COUNCILMAN ORTIZ: Could you make a
9 copy for Mr. Ramos?

10 In the chronology that he puts forward,
11 and I'll read it so that we can all see where
12 we're at. It says:

13 In March of 1998, the EPA was contacted
14 by a citizen concerning lead contamination in the
15 drinking water of the Bache Martin Middle School,
16 located at North 22nd and Brown Street. That's
17 right up the block from where I used to live.

18 In conjunction with this complaint, the
19 citizen supplied EPA with sample results -- now,
20 this is a citizen -- performed by Testwell Craig,
21 dated June 23, 1993.

22 Now, this is the same -- this is the
23 report that I asked you for a little while ago,
24 and a citizen supplied this to the EPA.

25 EPA contacted the School District's

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2 Environmental Management Services Office on April
3 2, 1998 to determine if corrective action had been
4 taken at the Bache Martin Elementary School; the
5 School District did not respond.

6 In October 1998, EPA hosted a
7 compliance assistance meeting attended by
8 representatives of the School District, the
9 Philadelphia Water Department, the Health
10 Department, (unintelligible), and EPA.

11 That's the Philadelphia Environmental
12 -- right, Commissioner?

13 EPA requested that the School District
14 provide additional information concerning the
15 Bache Martin Middle School and other schools that
16 may have had drinking water outlets with levels of
17 20 ppb lead or higher.

18 Now, I've been told, and since I've
19 been dealing with this issue, they tell me that 20
20 ppb or higher is very dangerous and begins to
21 affect the body at that point. Or, like I said,
22 even a little bit of lead, from my own hearings
23 before, even a little bit of lead in the water
24 begins affecting the body of individuals.

25 The EPA requested that this information

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2 be submitted by December 31, 1998. The School
3 District did not respond. In March 1999, EPA
4 requested a walk-through of the Bache Martin
5 Middle School and a review of sampling results.
6 The School District's counsel -- and this I cannot
7 understand -- instructed the EPA to get a search
8 warrant to visit a school or review test records.

9 A search warrant. There should be
10 nothing to hide in this issue here. If we need to
11 know if there's lead, there's lead, and we should
12 not need a search warrant to find that out. I
13 find this distressing.

14 In late July 1999, the School District
15 changed its position. That was three months
16 afterwards. It's a long time if you're a kid and
17 you're drinking water. Changed its position and
18 agreed to allow EPA to review all of the
19 lead-testing records for the entire School
20 District. Correspondence from the School
21 District's counsel noted that the test results
22 covered approximately 100 locations.

23 At the end of August 1999, the School
24 District turned over the lead test results for 23
25 locations. At least 10 of the locations have

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2 levels above 20 ppb lead in the drinking water
3 sample. The accompanying materials seem to
4 indicate that the samples were taken in response
5 to individual complaints rather than as a part of
6 a systemic sampling plan.

7 And here comes that report again. The
8 Testwell Craig & Con test results from the
9 sampling program conducted in '91 through '94 were
10 not included in the material received from the
11 School District. Under Section 1431 of the Safe
12 Drinking Water Act Emergency Powers, the agency
13 has the authority to act to protect public health
14 if, based on information it receives, that there
15 may be an imminent and substantial threat to
16 public health.

17 Based on the information EPA had as of
18 August 1999, EPA found it necessary to take action
19 under these emergency powers, which is, I think,
20 why these hearings then occurred.

21 EPA shared its concern with the School
22 District. In an attempt to obtain School District
23 cooperation, EPA met on September 24, 1999 with
24 representatives of the School District, the Health
25 Department, City Solicitor's Office, PWD, and the

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2 School District counsel's office. At that
3 meeting, the School District agreed to enter into
4 an agreement with EPA to flush the pipes -- this
5 is September of '99 -- as a temporary remedial
6 measure. Systematically tests for lead and
7 (unintelligible) sources of lead contamination.

8 On October 12, 1999, EPA sent the
9 School District a draft emergency order of concern
10 pursuant to EPA's authority under the Safe
11 Drinking Water Act. The School District rejected
12 the order and withdrew its previous oral
13 agreement.

14 On October 21, 1999, the School
15 District agreed to implement a flushing program by
16 November 1, 1999, in accordance with EPA
17 guidelines, and to enter into an enforceable
18 agreement with the City of Philadelphia Health
19 Department by November 30, 1999.

20 On October 29, 1999, the School
21 District issued a work order to its building
22 engineers to begin daily flushing in Philadelphia
23 public schools. The provisions of the work order
24 varied greatly from the flushing program to which
25 the EPA and the School District had agreed.

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2 EPA immediately provided comments to
3 the School District on November 1, 1999. EPA
4 conducted five inspections to schools in November
5 1999 to ensure that daily flushings of the pipes
6 was being performed properly. The inspection
7 sites were chosen by the School District. These
8 inspections revealed that flushing was not being
9 implemented effectively. The School District
10 revised its work order of flushing per EPA's
11 comments.

12 Now, this was in November -- in
13 November of '99, a year ago, I would imagine.

14 MR. RAMOS: I'll pick up the story from
15 there, Councilman.

16 COUNCILMAN ORTIZ: Okay.

17 MR. RAMOS: That's around the time that
18 the problems in communication among the agencies
19 got to such a level that they came to my
20 attention. And I brought them to the attention of
21 superintendent, and he and I became personally
22 involved to the point that by the time we had this
23 flushing program up and running, the
24 superintendent and I, and still today, get a daily
25 report on flushing, showing every school that was

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2 flushed, the result. If a school wasn't flushed
3 on a given day, it tells me why that school wasn't
4 flushed, whether there was a problem with getting
5 into the building that day or something like that.

6 And it's, you know, I think there are
7 -- there are -- there is no other way than to say
8 that there has been -- among other things, there
9 was a point where the School District and the
10 Health Department and the EPA were either not
11 communicating or not on the same page. We stepped
12 this up as much as could possibly be stepped up
13 with the superintendent and I not only becoming
14 involved but getting daily reports, moving the
15 day-to-day responsibility now to the chief
16 operating officer, Tom McGlinchy, who reports to
17 our chief executive officer.

18 So that -- I mean, I think that the --
19 the chronology and the first couple pages, as I
20 just skimmed them, also talked about --
21 Mr. Campbell talks about his recent experience.
22 And then in terms of the responsiveness of the
23 District, the School District has put this at the
24 top of its list, of its priority list. I think
25 we've addressed a lot of the, I'd say,

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2 communication and perhaps some, you know, issues
3 at mid-level among the agencies where we weren't
4 communicating or coordinating this --

5 COUNCILMAN ORTIZ: Well, I think you're
6 taking the steps. I think the thing that bothers
7 me is that from 1990, when we knew that there was
8 a problem with this because we had hearings here,
9 and maybe it's part our fault also because maybe
10 we did not monitor this as adequately as a Council
11 should have. From that point on in which you
12 order a series of studies to be done by these
13 contractors, knowledge was there. And the point
14 is, how many kids have been harmed because this
15 was not -- this process that you're implementing
16 now is ten years too late.

17 MR. RAMOS: Well, I can't speak for,
18 you know, what Council was doing in 1990 or the
19 District --

20 COUNCILMAN ORTIZ: I'm saying that the
21 problem was known in '91 and it is now that we are
22 really implementing the procedures --

23 MR. RAMOS: Well, I think it's fair,
24 Councilman, to -- I mean, last year, there were --
25 I mean, you know, I got -- I threw myself into

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2 this 'cause I didn't like the way we were
3 communicating and I didn't think it was working,
4 and you have a lot of this kind of going back and
5 forth, which ended up becoming adversarial, when
6 the agencies were really supposed to be trying to
7 figure out how to work together the way we are
8 now.

9 I think the context is, you know, for
10 those of us who are homeowners and parents and all
11 of that, that this is an issue -- that the
12 magnitude of this issue affecting, you know, like
13 you said, you guys were talking about it in 1990,
14 it's an issue -- the EPA standards, I thought,
15 actually came out like in '91 or something like
16 that or became effective in '91, applied to all
17 buildings. And while this issue's been, you know,
18 getting addressed and not -- we weren't doing what
19 we we're doing now, most places are still not
20 doing what we're doing what. And --

21 COUNCILMAN ORTIZ: We're only concerned
22 about -- I'm not concerned about what --

23 (Unintelligible, parties talking over
24 each other.)

25 MR. RAMOS: -- which is what you're

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2 going to, and the School District also during that
3 time has been very aggressively addressing health
4 issues in the environmental area such as the issue
5 of lead paint and asbestos. And, you know, in
6 this, we'd like to be doing everything at once,
7 and I think that there is -- this whole endeavor
8 could have been going a lot more smoothly over the
9 last, you know, over the last year than it has.

10 COUNCILMAN ORTIZ: Could you find out
11 for me if you actually -- if someone in the
12 District actually required a search warrant from
13 the EPA?

14 MR. RAMOS: Sure.

15 COUNCILMAN RIZZO: Mr. Chairman, can I
16 follow up with questioning?

17 COUNCILMAN ORTIZ: Yeah.

18 COUNCILMAN RIZZO: In reference to --
19 you know, we've all been through Firestone tires
20 and now we're discussing this issue. Maybe you
21 can elaborate or explain -- I believe the
22 Philadelphia Inquirer wanted some information
23 about this issue, and they were basically turned
24 away and had to use the Freedom of Information Act
25 to get the information that they reported, and I

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2 heard that today on another -- why would they have
3 to use -- or go to the extreme of using the
4 Freedom of Information Act to get some information
5 from the School District about the magnitude or
6 the problem that you folks were facing?

7 MR. RAMOS: They shouldn't have, and I
8 believe they got the information from the EPA
9 under the Freedom of Information Act. And, you
10 know, today, that's something that wouldn't have
11 happened. It's -- you know, in my opinion, it's
12 not the way -- the School District shouldn't be
13 getting defensive about things and then say, Wait,
14 stop, let me go see what's going on. If we're
15 operating from the position that we're an open
16 book, we should be -- we should be just a lot more
17 forthcoming with information.

18 One of the issues reported in that
19 article was how -- the delay in getting some of
20 that information. My understanding is that the
21 District has provided to the EPA, and I think to
22 anyone else who's asked, the -- everything that
23 the School District has that was responsive. And
24 that's -- I mean, that's as much as we know after,
25 you know, after trying to dig into this same

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2 question.

3 COUNCILMAN ORTIZ: Well, I know that a
4 citizen got a hold of those consultants' reports.
5 I'd like --

6 MR. RAMOS: Councilman, and I mean this
7 earnestly, if there -- if there is something that
8 someone has, either a member of the public or the
9 Council, that we don't have, we'd like to see it.

10 COUNCILMAN ORTIZ: I would like to --
11 if I had it, I'd give it to you, but this was a
12 thing that you contracted for.

13 MR. RAMOS: And my understanding is
14 that the reports that we have been provided and I
15 don't know how many that is.

16 MS. HOOVEN: I don't remember that. I
17 think it was like 18 or 20.

18 COUNCILMAN ORTIZ: One final question,
19 and then we have -- okay, one question from me and
20 then one question from Councilwoman Miller.

21 I'd like to find out from you in terms
22 of what it's going to take to solve this problem
23 thoroughly and how much it's going to cost. And
24 whether, you know, what manner of infrastructure
25 change needs to be accomplished. Because we

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2 cannot have -- we cannot expect kids to keep on
3 going to unsafe learning environments.

4 So if I can have that from you, sir, I
5 would appreciate it. 'Cause we're going to have a
6 follow-up hearing to this to find out where we're
7 at, where we're going, and how we're doing.

8 MR. MCGLINCHY: Councilman, one of the
9 problems with estimating the costs at this point
10 is that we really don't know the extent of the
11 problem. As Miss Hooven described --

12 COUNCILMAN ORTIZ: Don't tell me that.

13 MR. MCGLINCHY: Well, it's the --

14 COUNCILMAN RIZZO: I mean, I
15 understand. I mean, this is what I'm talking
16 about.

17 MR. MCGLINCHY: Well, I think --

18 COUNCILMAN RIZZO: I mean, we're
19 talking ten years after we knew what the problem
20 was and we still don't know what the extent of the
21 problem is.

22 MR. RAMOS: I think that they were
23 reacting, Councilman, to your question about
24 remediation, which is something -- we can tell you
25 what the cost of testing is.

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2 COUNCILMAN ORTIZ: Well, remediation,
3 what I've found out so far is turning off.

4 MR. RAMOS: Turning off.

5 COUNCILMAN ORTIZ: Is turning off, but
6 that is not a solution because kids need drinking
7 water.

8 MR. RAMOS: I think we can provide you
9 with --

10 COUNCILMAN ORTIZ: I mean, once you
11 turn it off, how do you turn it back on? And then
12 how much is it going to cost to turn it back on?

13 MR. RAMOS: We can provide you with the
14 to-date and probably projected cost of testing
15 costs of water, what we've spent so far on
16 remedial -- well, what we already know about in
17 terms of what's going to need to be fixed. My
18 understanding is that we're still working with the
19 EPA and the City on the actual remediation plan --
20 is that the right terminology? So that we can
21 give you up to what we have and keep you posted,
22 both through our Web site and directly as we roll
23 this out of how the certainty --

24 COUNCILMAN ORTIZ: Well, if you have a
25 remediation plan, I'd like to see it, I'd like to

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2 keep it for the committee, and Council can keep on
3 with this, okay?

4 MR. RAMOS: Yes, we'll do that,
5 Councilman.

6 COUNCILMAN ORTIZ: Okay, Councilwoman
7 Miller, your question.

8 COUNCILWOMAN MILLER: If the building
9 engineer can't get into the school to flush the
10 water, does that mean that the water is turned off
11 for that day?

12 MR. MCGLINCHY: No. And, Councilwoman,
13 we have had several occasions where, for one
14 reason or another, a building engineer did not get
15 to the building on time to do the proper flushing.
16 In that case, the building is not flushed on that
17 particular day, and the incident of that happening
18 is very, very small. In that case, the building
19 is not flushed, but we cannot operate the building
20 without the essential water. I mean, we need
21 water for drinking, we need water for toilets, et
22 cetera, et cetera. And I assure you that that has
23 happened in just a very, very small handful of
24 cases.

25 COUNCILWOMAN MILLER: Okay. You know,

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2 I guess with -- I have the same concerns of
3 Councilman Ortiz, that if this is a problem that
4 we know about, then we have to do something to
5 rectify it. We cannot have children -- and I also
6 have a daughter in public school. We cannot have
7 children drinking from fountains with contaminated
8 water.

9 MR. MCGLINCHY: We wholeheartedly
10 agree, Councilwoman, and we're taking every step
11 we can to prevent that from happening.

12 COUNCILWOMAN MILLER: Okay. One other
13 question Councilman Mariano asked me to ask. What
14 role, if any, does the PFT --

15 COUNCILMAN ORTIZ: We're going to have
16 that after.

17 COUNCILWOMAN MILLER: After?

18 COUNCILMAN ORTIZ: We're going to have
19 that.

20 COUNCILWOMAN MILLER: Okay.

21 COUNCILMAN ORTIZ: Because, Mr. Ramos,
22 could you stay around, please? 'Cause I think we
23 may have some others.

24 But given the situation we're in, given
25 -- in terms of overall the school system and the

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2 need for money overall in the school system, we
3 really don't need a lot of other costs coming into
4 existence. So it really -- if it's really going
5 to impact on a lot of other stuff, the ripple
6 effect of this really has some long-term
7 repercussions.

8 MR. RAMOS: Right. And, I mean, it's
9 affecting a lot of things.

10 COUNCILMAN ORTIZ: Yeah.

11 MR. RAMOS: In terms of our cap, we're
12 dealing with this in our operating budget, and I
13 know Mr. McGlinchy can give you some preliminary
14 stuff. We're dealing with in the capital budget
15 in terms of our planning. When we do our
16 requirements contracts on what faucet fixtures --

17 COUNCILMAN ORTIZ: It has repercussions
18 beyond what we're talking at.

19 MR. RAMOS: Absolutely. We need to --
20 and, you know, I'm -- I at this point think that
21 there is a momentum building for a type of program
22 in Philadelphia that other places are going to be
23 looking at to deal with their issues when they
24 come to dealing with them.

25 COUNCILMAN ORTIZ: Thank you,

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2 Mr. Ramos.

3 Mr. Jack Steinberg of the PFT.

4 MR. RAMOS: Mr. Chairman, I just want
5 to beg your indulgence for a minute just in terms
6 of a matter that I raised to you during our City
7 Council briefing in 225 the other day, and that's
8 I'm currently recessed from my own tribunal, from
9 my own body over there, and I can stick around for
10 a while, but we're at a middle school this
11 evening.

12 COUNCILMAN ORTIZ: Okay. Go ahead.

13 MR. RAMOS: I guess I'll go ahead.

14 Okay, thanks.

15 COUNCILMAN ORTIZ: Jack Steinberg.

16 MR. RAMOS: But I'm going to ask

17 Mr. McGlinchy and his staff to --

18 COUNCILMAN ORTIZ: We're going to have
19 a follow-up hearing on this, so it's no problem.

20 MR. RAMOS: Thank you.

21 COUNCILMAN ORTIZ: All right.

22 (Witness comes forward.)

23 COUNCILMAN ORTIZ: Dr. Tsou,
24 Commissioner, we'll be right with you after this,
25 okay?.

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2 Jack, you know the drill. Just get the
3 microphone and identify yourself for the record.

4 MR. STEINBERG: I'm Jack Steinberg, and
5 I'm currently here under the responsibility of
6 Chairman of the Health and Welfare Fund for the
7 Philadelphia Federation of Teachers.

8 We had arranged for our industrial
9 hygienist to be here last Monday. Unfortunately,
10 when the change was made, he couldn't make it
11 today so that if you have -- if I can't supply the
12 answers for you and if you have any other
13 technical questions, write them down and I'll
14 certainly get all of the information to you.

15 COUNCILMAN ORTIZ: We will do that.

16 MR. STEINBERG: And by the way, if you
17 want to use him as a source on some generic
18 questions, please feel free.

19 COUNCILMAN ORTIZ: I will do that also,
20 sir.

21 MR. STEINBERG: Okay, thank you.

22 The Philadelphia Federation of Teachers
23 Health and Welfare Fund has retained and used the
24 services of Occupational Health Consultation
25 Services, Incorporated, and Mr. Roseman is our

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2 consultant, the industrial hygienist that I
3 mentioned before. We used them for many years for
4 the purpose of ensuring that the School District
5 buildings in which our members work and in which
6 our school children are taught, hopefully, we have
7 to keep them healthful and safe. OHCS has helped
8 evaluate a broad range of occupational and
9 environmental and health and safety issues,
10 including those related to asbestos, indoor air
11 quality, chemical contamination, lead exposures
12 and others for many years.

13 As a result of parents asking for the
14 Health and Welfare Fund, it is our policy to
15 invite not only staff but also parents to meetings
16 concerning environmental problems so that they can
17 be included and fully understand all of the issues
18 that affect the environment in which their
19 children learn. This approach originated many
20 years ago.

21 The reason I'm explain this is
22 technically the Health and Welfare Fund is to
23 supply health services for our members, but we
24 never hold a faculty or a staff meeting on these
25 issues without inviting the parents. And

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2 frequently, the parents demand it.

3 This approach originated many years
4 ago, when parents at the Bryant School refused to
5 permit their children to enter the building until
6 they heard from the PFT Health and Welfare Fund.
7 We had meetings with parents and faculties at
8 dozens of schools throughout the entire city. It
9 has been our experience that when the PFT Health
10 and Welfare Fund uses OHCS in this manner, a much
11 more effective situation in terms of communication
12 and remediation of hazardous condition results.
13 This benefits all of the parties and prevents
14 emotional overreactions in many cases.

15 The PFT Health and Welfare Fund is
16 committed to such an approach because the health,
17 welfare, and safety of not only the staffs but
18 also of the children who use the Philadelphia
19 public schools is our concern.

20 A few years ago, we alerted the School
21 District of the problem of lead in the drinking
22 water in Philadelphia schools. Following much
23 prompting and an EPA-issued recall of several
24 types of water coolers known to contain
25 significant concentrations of lead, a large-scale

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2 effort was undertaken by the School District to
3 evaluate and sample water in schools for lead
4 concentration. This activity was carried out over
5 several months and cost the School District
6 thousands of dollars.

7 At the time, the School District did
8 not permit us access and input into all phases of
9 this work. Unfortunately, the program is so
10 inadequate that it resulted in unusable data and
11 necessitated the School District having to start
12 all over from the beginning. This required a
13 costly duplication of effort. Even today, the
14 School District policy seems to be the exclusion
15 of the PFT Health and Welfare Fund from full and
16 open involvement in addressing the safety and --
17 these safety and health hazards.

18 The same seems to be true with respect
19 to the EPA and the City of Philadelphia's
20 Department of Health in connection with lead-in-
21 he-water testing being conducted by the School
22 District.

23 Lead is a very serious health hazard to
24 Philadelphia school children and to our members.
25 And, by the way, it's cumulative in the blood.

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2 You should keep that in mind. It is particularly
3 dangerous to very young children, to pregnant
4 woman, and to those with certain other diseases.
5 Lead in paint and water must be seriously and
6 comprehensively evaluated and remediated. Lead
7 accumulates in bone and potentially affects blood,
8 reproductive organs, the brain, and many other
9 bodily systems and organs. It is a cumulative
10 poison, with every exposure contributing to the
11 potential hazard. Lead can cause birth defect,
12 spontaneous miscarriage, brain damage, and
13 associated learning defects, and (unintelligible)
14 and other blood and marrow diseases can also
15 result.

16 Because of the seriousness of exposure
17 to this contaminant in the School District
18 buildings, the PFT Health and Welfare Fund is very
19 concerned about the way in which the inspection,
20 evaluation, testing, and remediation effort of the
21 School District has proceeded. So far, the School
22 District has collected more than 12,000 water
23 samples from approximately 225 different
24 locations. Almost 12,000 individual outlets have
25 been tested for their lead and water

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2 concentration. It is important to note that of
3 the samples collected, about 20 percent, or
4 somewhere around 2500 samples, have exceeded the
5 action level -- that's the safe -- what they
6 designate as the safe level for the amount of lead
7 that can be safely found in water. And in about
8 11 percent or 1300 samples, the level of lead in
9 the water is twice what is considered to be safe
10 by the EPA and the Department of Health.

11 There are about 500 outlets in over 100
12 separate locations that have had to be removed
13 from service because of concerns about the
14 dangerous levels of lead in the water. In more
15 than 80 buildings, bottled water is being used to
16 ensure that children and faculties are not
17 drinking dangerously lead-contaminated water.

18 Because of the extent of the lead
19 contamination of drinking water in the
20 Philadelphia schools and the way in which the
21 District has conducted themselves during these
22 past 11 or 12 months on this project, we have some
23 very grave concerns. There are several reasons
24 for our concern, including EPA and the
25 Philadelphia Department of Health statements and

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2 conclusions pointing out serious deficiencies in
3 the way in which the School District was complying
4 with the initial agreement that the Philadelphia
5 Department of Health and the Philadelphia School
6 District had on drinking water safety, signed on
7 December 31, 1999.

8 Less than eight weeks ago, the EPA was
9 quite concerned with the way in which the School
10 District was conducting the lead testing program.
11 They notified Dr. Tsou, Commissioner of the City
12 of Philadelphia's Department of Health, that
13 despite personal assurances from the previous
14 superintendent that he would exercise an oversight
15 and compliance function and that strict safeguards
16 would be followed to address the risks posed by
17 lead in water, there had been evidence of
18 significant failures by the School District to
19 observe compliance with the agreements signed.
20 The EPA found that, one, drinking water outlets
21 had not been turned off in all cases where sample
22 results exceeded the lead-in-water safe level.
23 This was witnessed by EPA representatives at the
24 Gompers, Wanamaker, and E.S. Jenks School. The
25 Philadelphia School District had undertaken

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2 remediation and follow-up sampling without
3 approval by the Philadelphia Departments of Health
4 and Water, which is required.

5 In some cases, lead-bearing fixtures
6 have been remediated with another potentially
7 lead-bearing fixture, and that, for lack of
8 communication with the Philadelphia School
9 District, continues to undermine EPA confidence in
10 the sampling. For instance, maintenance personnel
11 flushed the water at some locations immediately
12 prior to the collection of samples. Examples of
13 that would be South Philly High and the Pollock
14 School. This renders the samples collected
15 meaningless and can make contaminated water appear
16 to be safe.

17 The Health Department responded by
18 issuing an order to the Philadelphia School
19 District on or about October 11th that indicated
20 many problems have been observed. The Health
21 Department said, in the course of its inspection,
22 the Health Department has observed children
23 drinking from water outlets that are known to
24 exceed 20 ppb. That's the action level for safe
25 levels, that's 20 parts per billion. Also, the

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2 School District has not complied with its
3 obligation under the agreement as set forth.
4 That's the end of the quote.

5 Specifically, there were seven areas of
6 deficiency pointed out by the Philadelphia
7 Department of Health as follows:

8 1. The Philadelphia School District
9 has not prioritized sampling activities as
10 required.

11 2. The School District has not
12 completed follow-up sampling within five days as
13 required.

14 3. The Philadelphia School District
15 failed to turn off outlets within the required 48
16 hours that tested above the safe level.

17 4. The Philadelphia School District
18 has not developed remediation plans as required.

19 5. The School District sampling has
20 not been in compliance with proper sampling
21 protocols.

22 6. The Philadelphia School District
23 performed remediation without agreement from
24 Health and Water Departments.

25 7. The Philadelphia School District

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2 has not established an escrow fund to pay for
3 costs and fines.

4 The Health Department concluded by
5 saying, quote, based on the foregoing, the Health
6 Commissioner finds the Philadelphia School
7 District in substantial noncompliance with the
8 terms of the agreement, end of quote.

9 Because of these deficiencies and the
10 potential harm that can result from exposure to
11 lead, fines and costs have been levied against the
12 School District. The School District has been
13 ordered to pay \$1 million in fines, 300, which was
14 already to have been escrowed. They also have
15 been assessed 75,000 to reimburse the Department
16 of Health for the cost of oversight and
17 monitoring. The fine and reimbursement costs are
18 in addition to the approximately 1.2 million spent
19 by the School District on consultants.

20 School District labor and laboratory
21 costs on those projects so far. Because of the
22 deficiency of the District's approach to this very
23 serious matter and because the Health and Welfare
24 Fund firmly believes that a cooperative approach
25 between our representatives and those from the

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2 School District will further the smooth and
3 efficient conduct of the lead-in-water testing and
4 remediation, we are offering the following
5 recommendations:

6 1. Steps should be taken to ensure
7 that all drinking water outlets that exceed the
8 action for safe level for lead are immediately
9 removed from service. Quality assurance and
10 onsite monitoring should be done to confirm that
11 this has been done.

12 2. Steps to ensure that proper
13 sampling procedures and protocols are followed
14 should be developed. All remedial action should
15 be developed after discussion and input with all
16 technical representatives, including those from
17 the PFT Health and Welfare Fund. Remedial action
18 should then be approved by the Philadelphia
19 Department of Health and the EPA before they are
20 undertaken, and technical representatives from the
21 PFT Health and Welfare Fund should be notified of
22 and invited to any and all meetings held between
23 representatives of the Philadelphia School
24 District and their consultants and contractors,
25 EPA, the City of Philadelphia, et cetera, where

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2 technical issues related to sampling,
3 communication, hazard remediation, et cetera, are
4 being discussed.

5 We were notified about a year ago that
6 they were entitled to data but we were no longer
7 to be involved in meetings in which remedial
8 action and proper testings are planned. This is
9 unfortunate, not only for the staff, but for the
10 children. It potentially sets up an adversarial
11 position, which prompted our press conference at
12 the Gompers School. When we worked cooperative in
13 the past, we were able to address proper remedial
14 actions and testings and communicate this to
15 staffs and parents. This was particularly true of
16 the asbestos problem.

17 Managerial prerogative has no place
18 where health, safety, and teaching and learning
19 conditions are involved. We would appreciate it
20 if you would strongly recommend to the School
21 District that we once again be partners.

22 COUNCILMAN ORTIZ: Thank you,
23 Mr. Steinberg. Some of this is distressing in
24 terms of the cooperation. And do you find that --
25 you heard the testimony of --

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2 MR. STEINBERG: Yes.

3 COUNCILMAN ORTIZ: -- the School
4 District. Do you find that those steps have been
5 taken? These are things that you point out,
6 according to them, have been remediated.

7 MR. STEINBERG: No. I -- from the
8 information that we have and from our consultant
9 and from the EPA and the Health Department, it
10 would be advantageous to the School District to
11 involve all of these entities in planning the
12 remediation and in developing the protocols that
13 are recognized as viable, usable, and safe for
14 children.

15 COUNCILMAN ORTIZ: Is it --

16 MR. STEINBERG: And that would be for
17 our experts to determine. And that hasn't been
18 done.

19 COUNCILMAN ORTIZ: But the PFT's
20 contention that the statements that are made as to
21 the flushing and the remediation that has taken
22 place and the effectiveness of that are not -- not
23 what is being claimed to be.

24 MR. STEINBERG: Well --

25 COUNCILMAN ORTIZ: Or is that a part of

1 11/20/00 PUB. HEALTH AND SAFETY, RES. 000635
2 a systemic plan?

3 MR. STEINBERG: It's really not
4 systematically put in place. And so even those
5 giving the report may not actually know what has
6 occurred at those locations.

7 There are -- remember, we did recommend
8 onsite oversight and somebody responsible. I
9 don't know what system they're using.

10 COUNCILMAN ORTIZ: You said that in
11 some cases. Do you have clear information and
12 documented information that in cases where
13 remediation and by -- has been replaced by another
14 potentially lead-bearing fixture?

15 MR. STEINBERG: Yes. Our consultant
16 collects all of that information. That's the type
17 of information I will get to you.

18 COUNCILMAN ORTIZ: Could you have your
19 consultant get that and forward that to us?

20 MR. STEINBERG: Sure.

21 COUNCILMAN ORTIZ: Okay.

22 Councilwoman Miller.

23 COUNCILWOMAN MILLER: Who is the person
24 that's responsible for the onsite oversight? Is
25 there someone per school?

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2 MR. STEINBERG: That the School
3 District would have to answer for you. I don't
4 know whom they've designated, if they've
5 designated anyone.

6 COUNCILWOMAN MILLER: Okay. Okay,
7 thank you.

8 MR. STEINBERG: Sure.

9 COUNCILMAN ORTIZ: Do you have
10 information as to places where supposedly the tap
11 had been turned off but actually had not been
12 turned off?

13 MR. STEINBERG: We have that -- any
14 information named in here we have examples of, and
15 I will have them write them up and give them to
16 you.

17 COUNCILMAN ORTIZ: Please do that.

18 MR. STEINBERG: Sure.

19 COUNCILMAN ORTIZ: Thank you very much.

20 MR. STEINBERG: Thank you.

21 COUNCILMAN ORTIZ: Thank you, Jack.

22 Commissioner?

23 I'll be in touch with you and the other
24 folks.

25 (Witnesses come forward.)

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2 COUNCILMAN ORTIZ: I don't know whether
3 I have told you how delighted I am that you are
4 commissioner, I don't know if I've been able to
5 say that to you publicly, but let me say that I am
6 quite delighted to see you heading up the Health
7 Department of this city and that I -- I was
8 pleasantly surprised when I heard your name.

9 DR. TSOU: You and me both.

10 (Laughter.)

11 COUNCILMAN ORTIZ: But I can tell you,
12 like I said, I don't know if I have congratulated
13 you publicly or -- but I am really very -- I think
14 we're fortunate to have someone of your commitment
15 and skill. And, again, I go back to the work
16 commitment to the public to public health and as
17 commissioner of the Health Department, that I feel
18 very pleased to see you there.

19 DR. TSOU: Thank you.

20 Good afternoon, Councilman Ortiz and
21 members of the Joint Committee on Public Health
22 and Human Services and Public Safety. I'm
23 Dr. Walter Tsou, Commissioner of Public Health
24 Campbell who is heads our lead program. And I'm
25 here actually joined by Paula Campbell, who is our

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2 medical director for our Lead Program, and Dick
3 Tobin, who heads up that program.

4 I'm here to present testimony
5 concerning lead in the School District drinking
6 water. Lead poisoning, as you know, poses a
7 significant threat to the health of young children
8 in most older cities in our country. The most
9 common cause of lead poisoning in children is lead
10 dust from old lead-based paint. However, lead can
11 also be found in older plumbing systems.

12 In Philadelphia, the lead content of
13 the City's water is well within the U.S. EPA's
14 requirements when it leaves the water treatment
15 plants. Lead enters the water through older
16 pipes, fixtures, and the solder used to connect
17 them. And this is a concern relative to most
18 buildings built before 1991, which includes
19 essentially all of the 300 buildings operated by
20 the School District.

21 The EPA requires that lead -- I'm
22 sorry, that drinking water outlets, especially
23 water coolers in schools, be tested to ensure that
24 lead levels in the water are below 20 parts per
25 billion, a level at which adverse effects can

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2 occur, particularly in children.

3 In April of 1999, the EPA expressed
4 concern that the School District of Philadelphia
5 was out of compliance with these requirements.
6 Discussions among the School District, the EPA,
7 the Pennsylvania Department of Environmental
8 Protection, and the Philadelphia Department of
9 Public Health, with the cooperation of the Water
10 Department and the Law Department, lead to a
11 December 1999 agreement on drinking water safety
12 between the Department of Public Health and the
13 School District.

14 The School District embarked on an
15 implementation of the agreement, retaining
16 environmental consultants who performed sampling
17 and establishing a system to accomplish a process
18 of daily water system flushing. Nonetheless,
19 subsequent inspections by the Department of Public
20 Health and the EPA showed that the School District
21 was out of compliance with certain parts of this
22 agreement.

23 In order to achieve full compliance and
24 to better focus future efforts, the Philadelphia
25 Department of Public Health, with guidance from

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2 the EPA and the DEP, negotiated a consent order
3 and agreement with the School District of
4 Philadelphia. This consent order and agreement
5 was signed by myself on October 18, 2000 and
6 delineates specific steps and procedures to be
7 taken and provides for penalties in the event of
8 noncompliance.

9 COUNCILMAN ORTIZ: Could you forward
10 that order with all of the details to the chair?

11 DR. TSOU: I can get a copy to you,
12 yes.

13 COUNCILMAN ORTIZ: Thank you. We don't
14 have a copy of that.

15 DR. TSOU: Okay.

16 The Department of Public Health is
17 confident that the provisions of the consent order
18 and agreement assure that the children are
19 protected from unacceptable levels of lead in
20 school water. As provided in the consent order
21 and agreement, wherever there is any question
22 about water safety, warnings will be posted,
23 outlets taken out of service, and bottled water
24 provided.

25 In addition, the School District is

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2 developing a plan to inform all parents and all
3 staff of the dangers of lead poisoning and the
4 results of the testing whenever test results of 20
5 parts per billion or greater are found in a
6 school's water, the School District will notify
7 the principal, who will share this information
8 with the faculty, school nurse, and parents.

9 With the inception of this project, the
10 School District's contractors have tested more
11 than 13,968 individual water outlets, and all
12 drinking water fountains that exceed standard have
13 been removed from service and bottled water is
14 being provided where needed. As agreed, the
15 School District is currently posting warning
16 notices at hand-washing sinks that exceed the
17 drinking water standard but are needed for hygiene
18 purposes.

19 The Department of Public Health is
20 encouraged that the School District has made
21 substantial progress in satisfying the terms of
22 the new agreement and has, in fact, accelerated
23 the testing schedule called for in the consent
24 order. The cooperation of the School District's
25 staff involved in testing and remediation is quite

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2 noteworthy, and the personal attention given to
3 this issue by the School Board President is
4 exceptional. The Department of Public Health is
5 confident that with the continued adherence to the
6 terms of the consent order and agreement, the
7 students, faculty and others who work in School
8 District facilities will be provided with safe
9 drinking water.

10 Thank you for the opportunity to
11 present this testimony this afternoon.

12 COUNCILMAN ORTIZ: Doctor, Councilwoman
13 Miller just leaned over and said to me whether I
14 had -- if I have -- I have kids in public schools
15 and so does she, and she asked me if I had
16 received at any time, at any time, if I had
17 received at any time anything from the school that
18 my kids attend about the water problem, if I had
19 ever received anything from the school as to the
20 requirements of what you're talking about or the
21 EPA. And, as I told her, I have never received
22 anything from the school. And neither has she,
23 have you?

24 COUNCILWOMAN MILLER: In fact, I think
25 it's important that parents know what's going on.

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2 Sometimes high school children won't bring flyers
3 and information home. My daughter's in high
4 school, but the problem's been going on for a
5 while, and ten years ago she was in elementary
6 school, but in her school, evidently, there is a
7 problem, 'cause she just call me about another
8 matter, and I asked her, was she familiar with
9 these little water bottles? and she said yes, she
10 sees people drinking them in class. So evidently,
11 her school must be one of the schools that, you
12 know, is having a problem, but I haven't received
13 anything.

14 COUNCILMAN ORTIZ: But I think, you
15 know, one of the things that is disturbing about
16 all of this is just the extent of the problem,
17 Doctor, and how long it's been going on. You
18 know, it might be that all of these test results
19 that we got in which our kids fail is because
20 they've been drinking the water. And I really,
21 really am concerned because it's been such a long
22 time.

23 We -- the thing is that we have
24 hearings here. We had a hearing ten years ago on
25 this issue about school lead -- lead in the school

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2 water and so on. And unless parents keep bringing
3 it up to us, we do not follow that monitoring, but
4 it's been going on for quite a while, and the
5 remedial actions have only started very recently.
6 And it really bothers me that the EPA had to ask
7 for a search warrant to be able to test the
8 water. I mean, that's really just incredible in
9 this day and age that -- and that parent has
10 materials that we don't have.

11 DR. TSOU: Well, I can only say I think
12 the new leadership of the School District has
13 taken this very seriously. I think there's been a
14 true turnaround in terms of their compliance to
15 many of the terms of the consent order. And we
16 are actually now meeting every other week with
17 members of the EPA, the School District, our own
18 Health Department staff, and the DEP to talk about
19 the technical aspects of this consent order, and
20 were very pleased with that improved
21 communication.

22 We have the right now to enter any
23 school and conduct our own inspections to make
24 sure that they are in compliance. And we've
25 actually -- you know, we have started doing all of

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2 those things to assure the public and the members
3 of the School District and the kids in the school,
4 most importantly that, in fact, School District is
5 in compliance with this agreement.

6 Now, I can't speak for the past and
7 I --

8 COUNCILMAN ORTIZ: No, I don't expect
9 you to, but I do expect that you will keep this
10 Council informed, this committee informed as to
11 what is the Health Department's role, what are you
12 doing, what is the implementation, what are the
13 results that are coming forward, and what has --
14 what has been the level of cooperation, and what
15 has been the level of remediation that has taken
16 place so that we have a sense that our kids, that
17 when we send them out every morning, they are not
18 suffering or being put into danger by the water
19 that they may have available to them.

20 DR. TSOU: Okay. Well, we certainly
21 would be agreeable to that.

22 COUNCILMAN ORTIZ: You have heard some
23 of the stuff that has been said before and you are
24 confident and I -- that will comfort me because,
25 again, I -- you're confident that the activity

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2 that is now being done by the School Board, the
3 school system, the School District is answerable
4 to the problem at hand.

5 DR. TSOU: I am confident.

6 The larger question that you had raised
7 earlier, and I think MJ alluded to is the issue of
8 how much it's going to cost for the remediation so
9 that when the kids go over and turn on the
10 drinking fountains, they can be assured that the
11 water, in fact, is lead-free or lead-safe. And
12 that's going to be an expensive issue, and members
13 of the School District do not have a formal
14 estimate of that cost. I think it's going to be a
15 long-term budget item for the School District.

16 COUNCILMAN ORTIZ: I would like to get
17 from you, if I may, your analysis -- or priority
18 list of schools that need remediation and list
19 them. I know that we have, what, we have
20 200-and-whatever schools that we have?

21 DR. TSOU: Right.

22 COUNCILMAN ORTIZ: List them in order
23 of priority, where the problem is greater, where
24 the -- and down -- down that way so that we can
25 have -- the Councilwoman here, she has found out

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2 that her daughter is drinking plastic water, or
3 water in plastic things. And as a parent, she
4 should have known that that was taking place. She
5 -- in fact, she probably did not need to have her
6 kid come in and tell her that. A letter should
7 have been sent out by the principal of the school
8 saying, We have a problem here, we want to alert
9 you that we're taking care of it, and your kids
10 are not being poisoned.

11 Not to say anything, but she is a
12 councilwoman and she has a forum that is bigger
13 than any other parent, and she has not been
14 informed, and neither have I. And that's
15 troublesome, because I have the ability of calling
16 you guys in here and asking these questions.
17 Generally, parents don't have that.

18 DR. TSOU: Right.

19 COUNCILMAN ORTIZ: So I have to be able
20 to use this to inform parents, and I want to be
21 able to inform parents as much as I can of what it
22 is that we are facing, because it is troublesome
23 and it is dangerous. So if you can give me that.

24 DR. TSOU: Okay.

25 COUNCILMAN ORTIZ: How the process is

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2 that you're setting up and accomplishing and
3 implementing, and then a list of the terms in
4 schools in terms of priority, and what it is that
5 you believe needs to be done in order to achieve a
6 safe, healthy environment for our kids. If you
7 can have that and send it over to us, I would
8 really appreciate it.

9 DR. TSOU: We'll make that a priority
10 for our technical committee that meets on this
11 exact issue, so --

12 COUNCILWOMAN MILLER: And, you know, I
13 guess I would assume that the 50 schools that are
14 going to be the first 50 in the remediation plan,
15 I guess it wouldn't necessarily have to coincide
16 with the schools in terms of the priority order or
17 it could, but we'd also like to know what those
18 first 50 schools are and when the other plan --
19 some type of anticipated date of when the other
20 schools will be phased in.

21 COUNCILMAN ORTIZ: I remember 1985,
22 Doctor, when we had a hearing here on lead paint.
23 And we had a series of landlords that really were
24 bad landlords in West Philly.

25 COUNCILWOMAN MILLER: Slumlords.

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2 COUNCILMAN ORTIZ: Well, "slumlords,"
3 she called them.

4 And we found that kids just picking at
5 it and just putting it in, and that was hugely
6 alarming because we found out that the extent of
7 it in Philadelphia was huge. And we were able to
8 begin with the Health Department and to begin
9 dealing with some of that, and I think we've been
10 quite successful. I don't think we've achieved
11 total success, but we -- but we got -- we've come
12 a huge long way.

13 For this to happen -- for this to have
14 been happening and now we know the thing that hits
15 me is that this has been happening in the schools
16 for so many years, and we don't know how many kids
17 have been damaged by this. So many kids today are
18 not being able to finish school, and it wasn't
19 because they were dumb; it was because we poisoned
20 them. And that's tragic when government has it in
21 its hands the ability to fix things and it
22 doesn't.

23 And we're going to make sure that in
24 the year 2000, we're going to fix this, and we're
25 going to keep coming back to this Council until we

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2 are sure that every school in this city doesn't
3 have bottled water but has safe drinking water.

4 Thank you, Commissioner.

5 DR. TSOU: Thank you.

6 COUNCILMAN ORTIZ: We have our last
7 panel. Vernard Johnson. Shelly Yanoff, Falaka
8 Wright.

9 (Witnesses come forward.)

10 MR. MADEIRA: I'm here for Shelly.

11 COUNCILMAN ORTIZ: You have heard today
12 from the School District, the PFT, and the Water
13 Department (sic). I'd like to hear your reactions
14 because -- to what you heard. We don't want a
15 restatement of the problem, but I'd like to hear
16 what you want to see, what your reaction is to
17 what you heard.

18 Who wants to begin. Vernard?

19 MR. JOHNSON: You called Shelly first.

20 COUNCILMAN ORTIZ: Go ahead, Shelly.

21 (Laughter.)

22 COUNCILMAN ORTIZ: Identify yourself
23 for the record, please.

24 MR. MADEIRA: Good afternoon. I'm Bill
25 Madeira, sitting in for Shelly Yanoff, from PCCY.

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2 And we are the conveners of the Philadelphia
3 Childhood Lead Poison Prevention Coalition.

4 Ten years ago, as a result of some work
5 concerning lead that we undertook, we cosponsored
6 a conference on lead poisoning at the School
7 District, and later this Council held hearings on
8 the problems of lead, the silent epidemic. There
9 has been much improvement in policies and
10 practices as a result, and further improvement
11 through the work of Vernard Johnson in calling
12 attention to the problem in the Franklin Learning
13 Center and many other communities. Nevertheless,
14 the problem continues.

15 As you have heard, lead causes
16 permanent brain damage, non-remedial damage. It
17 is the primary source of post-birth mental
18 retardation. We are not here to review the
19 devastating consequences of lead exposure, nor to
20 speak to the elements in the consent agreement,
21 nor to review history. But the idea that this
22 issue was treated as a typical adversarial court
23 suit between two advantaged parties instead of as
24 a serious health hazard to the lives of
25 non-advantaged children is of grave concern to

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2 us.

3 The major lead risks to children are to
4 be found in our youngest children. That's when
5 the brain is the most vulnerable. Therefore, we
6 want to know:

7 Were sites which house young children
8 prioritized?

9 Was the water in the Head Start and
10 early childhood sites shut off and tested
11 immediately?

12 Is bottled water being brought into
13 these sites? We urge that as a precautionary
14 measure, this district not rely on the flush
15 method in any of the schools built before '91
16 where very young children attend. We urge that
17 bottled water be used in those sites henceforth.

18 Were the schools with pregnant young
19 women prioritized in this work?

20 Was information about lead and water
21 and the harm to pregnant woman and babies
22 advertised in high schools?

23 Were information sheets to parents and
24 teens sent home, outlining steps to be taken?
25 Clearly not. There are many such postures and

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2 brochures available. Were they used?

3 Were the teachers and the PFT Health
4 and Welfare Fund staff provided information to
5 assist and help monitor? It doesn't sound that
6 way.

7 Were they included in collaborative
8 efforts?

9 If the answer to any of these questions
10 is no, we urge that it be changed. Schools with
11 our youngest children or with pregnant young women
12 must be provided safe water, and safety from lead
13 must be prioritized. Parents and students must be
14 provided fact sheets and information about the
15 dangers and steps they can take for protection.

16 We understand that lead is an extremely
17 difficult problem to solve. It is expensive and
18 difficult and requires more of an investment than
19 any local government has available. We to have
20 been working on it for years and we do see
21 progress, much of it actively supported and lead
22 by this Council, but there's so much more to do.

23 At times, the problems of lead are like
24 an onion. The more you peel, the more you cry,
25 but not half as much as cry when you talk to a

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2 child whose body and mind and future have been
3 damaged because of lead poisoning.

4 We urge you to cause there to be
5 created an oversight committee of the teachers,
6 parents and the school and City administrations to
7 publicly and regularly report on progress. This
8 isn't about lawsuits or assessment of who's right
9 or wrong; it's about who's hurt. And as is too
10 often the case, it's the children who bear the
11 consequences of our neglect. We, therefore, urge
12 the Council to stay on this case to protect
13 children from further harm.

14 Thank you.

15 COUNCILMAN ORTIZ: Thank you.

16 MR. MADEIRA: In addition to the
17 prepared testimony, I'd just like to say that what
18 I've heard this afternoon seems almost
19 overwhelming in the level of disagreements and
20 intricacies of whatever it would take to solve the
21 problem, and it would seem almost as though only
22 by having ongoing hearings and ongoing monitoring
23 of this problem is there any hope of it being
24 solved permanently.

25 And now I want to --

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2 COUNCILMAN ORTIZ: This committee will
3 just recess. It will not -- we will leave from
4 here with a date certain for the next hearing so
5 that we know what we need to have something in our
6 hands.

7 Vernard?

8 MR. JOHNSON: Yes. My name's Vernard
9 Johnson, and I'm the Executive Director of Healthy
10 Family Healthy Life, and I'm also the chairperson
11 of the Philadelphia HealthyStart Community
12 Consortium.

13 And I'd just like to start out by
14 saying we think that the issue around lead in
15 public schools is far more widespread than just
16 the water, and we believe that you need to
17 continue to monitor the way encapsulated work has
18 been done.

19 COUNCILMAN ORTIZ: Vernard, put the
20 microphone closer to you.

21 MR. JOHNSON: We certainly believe that
22 it's more widespread than in the water, Councilman
23 Ortiz. And to use the Franklin Learning Center as
24 an example --

25 COUNCILMAN ORTIZ: That's right.

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2 MR. JOHNSON: -- when that school --
3 when the officials of the School District finally
4 realized that there was a serious problem with
5 dust in the building, we did move towards
6 encapsulation. But we're concerned right now
7 about the quality of the maintenance that's taking
8 place on a daily basis. And unless there's been
9 some improvement since '96, we don't believe that
10 the maintenance staff of the School District has
11 had the proper training that will allow them to
12 maintain all the encapsulation work that has taken
13 place.

14 And we also want to remind the
15 Councilman, with all due respect, that in '96, we
16 were told that there would be a new Franklin
17 Learning Center in a short while, and we're going
18 into 2001. So I just want to remind you of that.

19 I'd also like to remind you further
20 that at that time, the union that sat here today
21 was very much in opposition to the advocacy work
22 that was taking place by parents and, at that
23 time, students of the Franklin Learning Center.
24 So it's in that vein that we look at this
25 screening for young children for lead poisoning

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2 that's produced by the Center of Disease Control
3 in 1997.

4 It really talks about statewide efforts
5 but I think we can look at localizing it. And
6 what they're suggesting is that State health
7 officials should form an advisory committee to
8 develop a statewide plan -- we're calling for
9 local plan. The committee should include child
10 health-care providers as well as representatives
11 from local health departments, managed care
12 organizations, Medicaid private insurance
13 organizations, and the community.

14 And it seems to me that when the union
15 was speaking, and it seems to me that even when
16 Health Commissioner, who I have respect for, but
17 that when he was speaking about this task force,
18 that the big piece that was left out, sir, was the
19 community, was the parents.

20 COUNCILMAN ORTIZ: Parents.

21 MR. JOHNSON: And the parent
22 community. And so we're calling for an advisory
23 committee that's made up of all of those entities
24 and whatever other entities that they have but
25 also includes the parent community.

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2 COUNCILMAN ORTIZ: I think this
3 committee joins you along that line.

4 MR. JOHNSON: Thank you, sir.

5 We've asked the Health Commissioner in
6 a meeting that the Philadelphia Network for the
7 Public Health had with him back in -- several
8 weeks ago, I'll say it that way. We've asked the
9 commissioner to work with the community in
10 developing public service announcements,
11 educational brochures, educational curriculum,
12 whatever is proper, to work with us, to develop
13 those kind of resources that we could reach out
14 into the community with.

15 We don't think that this is just a
16 School District problem, but we think that the
17 Health Department of this town has a public
18 responsibility to make families, communities,
19 children, parents aware of the dangers of lead
20 poison, be it comes through water, be it comes
21 through soil, be it comes through the dust in
22 their home.

23 And I'd like to say this, sir, is that
24 I've talked to Dick Tobin about this that I'm
25 getting ready to say now -- as a matter of fact,

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2 it was Dick who trained myself and people from my
3 organization around this whole question about
4 lead. And I'd just like to say that years ago, we
5 thought that children were eating paint chips.

6 COUNCILMAN ORTIZ: Right.

7 MR. JOHNSON: And we thought that's how
8 they were getting exposed and poisoned. More
9 recently, we realized that the breathing in of
10 lead dust is dangerous. We think that the lead in
11 soil is also a concern. We're concerned about
12 houses and other properties being torn down in
13 this town without the proper inspections and then
14 left to lay while children play in it and then
15 they play in the dust.

16 COUNCILMAN ORTIZ: Think of the blight
17 program going on, tearing down all of those houses
18 across the City.

19 MR. JOHNSON: To get to the water, I
20 would suggest that Council not only consider
21 calling the EPA Safe Drinking Water Hotline where
22 -- and that number is 1-800 426-4791 -- because
23 we're disagreeing at this point on what is safe
24 and what is not safe to drink. I got information
25 from that hotline, a representative that suggested

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2 know, I've never seen a chair be able to hold down
3 the button on a drinking fountain. I just don't
4 know how you do that.

5 COUNCILMAN ORTIZ: I was -- I was --

6 MR. JOHNSON: I figured -- you know,
7 I'm not an engineer, but I don't know how you take
8 a chair and put it on that button and expect it to
9 be held down are. Nor do I know how you get
10 enough pressure on that button with duct tape or
11 any other kind of tape that will allow that
12 fountain to run.

13 We are in the school every day. I
14 invite you to go to Tilden Middle School.

15 COUNCILMAN ORTIZ: Where?

16 MR. JOHNSON: Tilden.

17 COUNCILMAN ORTIZ: I will.

18 MR. JOHNSON: At 66th and Elmwood.

19 COUNCILMAN ORTIZ: Well, we'll do it.

20 MR. JOHNSON: I invite you to go to
21 Pattison Elementary School. I just invite you to
22 go talk to the staff people there. I invite you
23 to go to the cafeteria at Tilden where students
24 are buying bottled water, that -- buying bottled
25 water at \$1 a bottle. So this 4 ounces of water,

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2 in my opinion, and evidently in Estelle Richman's
3 opinion, who we met with last week around this
4 issue, if children are supposed to have eight
5 glasses of water a day --

6 COUNCILMAN ORTIZ: At least.

7 MR. JOHNSON: -- then the School
8 District has some responsibility to provide them
9 with whatever the equivalent is. How do you move
10 toward that eight glasses? They have the
11 responsibility to provide them with that. And
12 with a four-ounce Dixie cup or a four-ounce fruit
13 cup, we're not moving it that way. Somebody's
14 making money, somebody's making money. And so
15 I'll leave it that way.

16 Monitoring. We can't leave it to them
17 to monitor themselves, Councilman Ortiz.

18 COUNCILMAN ORTIZ: We will monitor.

19 MR. JOHNSON: From the words of
20 Commissioner Richman, they just hired -- whatever
21 "just" means -- one person to work for the Health
22 Department to monitor 269 schools, 1 person.

23 COUNCILMAN ORTIZ: Mark it down. The
24 next hearing is January 17th.

25 MR. JOHNSON: And we're suggesting to

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2 you, Councilman, that one person cannot monitor at
3 4 o'clock in the morning or 5 o'clock in the
4 morning or 6 o'clock probably more than one or two
5 schools. And so monitoring is a concern.

6 Since this has been going on for ten
7 years, we're calling for the universal testing of
8 all students. So a sense of -- and we think that
9 the Health Department and the City of Philadelphia
10 should bear the cost. Since Councilwoman Miller
11 suggested that her child was in elementary school
12 ten years ago and is now in high school, we may
13 now have to do some bone tests, not blood tests.

14 But we submit to you that children who
15 have been in these schools, that the Health
16 Department in this town has a responsibility to
17 cry out to those families, however they find them,
18 and we're willing to sit with them. We have a
19 nurse, we have a medical doctor, the medical Dr.
20 Tsou, who's willing to sit with them and help
21 design and develop a public service approach that
22 every parent in this town and every young adult
23 now, 18, 19, 20 years old who were in those
24 schools back then should be about the business of
25 going and having themselves tested and their

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2 unborn child tested or their new baby tested.

3 That's how we feel.

4 And -- and I'm winding down. You know,
5 we should be developing a plan that this cross --
6 that this effort, and we think that we got good
7 people in Philadelphia. We don't have to go to
8 Boston all the time -- there's something going on
9 with Boston and Philly. But anyway, we don't have
10 to always go to Boston to find out what's going
11 on. We think that we --

12 COUNCILMAN ORTIZ: I want to know
13 what's going on in Philadelphia; I don't want to
14 go to Boston.

15 MR. JOHNSON: We think that a
16 curriculum needs to be designed that cuts across
17 whatever it is that they're teaching in the
18 schools, so that if it's a health curriculum, if
19 it's a science curriculum, we think that their
20 plans should include something that allows the
21 teacher to stand in front of students and talk
22 about how important it is to wash your hands every
23 day of the week. So we're also calling on the
24 School District to allow students, before they
25 eat, to wash their hands. The younger the

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2 student, the more important, but a good
3 hand-washing, a vigorous hand-washing program is
4 something that we're calling on.

5 And I'll leave it that way. I think I
6 made point best, you know, as best I can make it
7 now.

8 And what I'd like to do is say this.
9 And there's a parent with me, Kelly Shepherd, Miss
10 Kelly Shepherd. We have too many children who are
11 living in homes that have this problem. And when
12 the blood level goes 15 micrograms, I think it is,
13 of lead per deciliter of blood and a child is
14 detected, then the Health Department goes out to
15 that home and works with that parent. And they do
16 a good job of doing whatever they do, they do a
17 good job at. Works with that parent, to show that
18 parent how to take care of that problem, small
19 problems, how to take care of that problem.

20 If that problem's taken care of, the
21 blood level should go down, it shouldn't be going
22 up. And if it's going up, the Health Department
23 wants to know where your children are hanging
24 out. If they're hanging with grandmom, does
25 grandmom have the problem? If they're hanging on

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2 the lot, is there a problem on the lot, are they a
3 jumping on the mattresses, is that the problem?

4 In Miss Shepherd's case, the only place
5 that's different where her children go, the
6 youngest child's blood level had been going down,
7 the oldest child's going up. The only place
8 that's different is that the oldest child is going
9 to another school than the younger child. So, you
10 know, she can speak on that if you'll allow her,
11 but the only thing I'm saying is that -- we got to
12 stop denying.

13 And I'll say this to you, with all
14 candor, is that the School District has been
15 covering and covering and covering over this. I
16 think that when they try to do it right, they find
17 themselves covering. If you remember, they denied
18 that there was a problem at the Franklin Learning
19 Center and that we had to come to this Council
20 with Council President-then Street, who's now the
21 mayor, who appropriated some dollars that allowed
22 us to go out hire an independent consultant that
23 came from out there in Eddiestone, out in the
24 (unintelligible) property, who came in and found
25 out that the levels of lead in the building far

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2 exceeded anything that HUD would accept on top of
3 lockers, in crawl spaces. So the School District,
4 Well, why you worried about on top of lockers?
5 Well, because kids throw their book bags on top of
6 lockers, and when they pull them down, the dust
7 falls over their head.

8 So this environmental office of this
9 School district has a tendency to cover over the
10 fact. And so we believe that this Council has a
11 responsibility, that the City of Philadelphia has
12 a responsibility to monitor them.

13 And then I'll finish by saying this, is
14 that if you're going to give \$45 million -- let me
15 back off and say it this way, that we do not
16 believe that this health department comes in front
17 of this City Council ever in the ten years that
18 we've been doing health care in this town and
19 asked for an adequate amount of funding, we don't
20 believe it. That if you ask Dick Tobin -- and we
21 haven't talked about this, but if you ask Dick
22 Tobin, who pays for the majority of his staff's
23 salaries, it's other than the City of
24 Philadelphia, it's probably HUD. If you ask -- if
25 you go to any one of those departments inside the

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2 Health Department, the Office of Maternal and
3 Child Health, if you look at their staff, and I'm
4 just mentioning them 'cause I'm kind of familiar
5 with them, they live on grants. If they don't get
6 a grant, they can't function. They can't say
7 something that their boss tell them not to, so I'm
8 saying it: They need more money from this City
9 Council.

10 Now, if Council is going to give
11 \$45 million, 25 million now, 20 million later, to
12 the Gas Works, understanding the character of the
13 gas company, understanding all of that debate that
14 went on here --

15 COUNCILMAN ORTIZ: It's actually pretty
16 close to 68-something now.

17 MR. JOHNSON: Oh, lord. Well, if
18 you're going to give them 68, if you're going to
19 build two stadiums, if we're going to acquire the
20 land, then give this health department what they
21 need to operate. So if he -- not he, but if Dr.
22 Tsou needs more money to go out and monitor what's
23 going on in the schools -- and there's
24 Councilwoman Blackwell. Hi, Councilwoman
25 Blackwell.

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2 And I just want to say this. People
3 thought we were crazy for coming to this Council
4 with lead, they thought we were crazy for coming
5 here with the issue of Ritalin, and if it wasn't
6 for Councilwoman Blackwell, you know, following us
7 and finding out if we were telling the truth or
8 not, they would label us as crazy. And I just
9 want to say this Councilwoman Blackwell's, as I
10 understand it, brother is in the city of Baltimore
11 and he does work as it relates to children and
12 lead.

13 COUNCILMAN ORTIZ: I've known you since
14 1980 and I never thought you were crazy.

15 MR. JOHNSON: Well, you know, you
16 represented me one time, you know?

17 And all saying -- and I want to close
18 with this -- is that we are all here for the kids,
19 right? And for the school families. When we did
20 the Franklin Learning Center piece, we were
21 concerned about the teachers as we was concerned
22 about the children, and we still are.

23 And so I think that if this
24 commissioner comes forward and says -- and the
25 School District comes forward and says, We need a

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2 few more dollars so that we can monitor this thing
3 properly, then I think that Council can consider
4 that.

5 COUNCILMAN ORTIZ: And, you know, I
6 think so. We have a law in the books -- and,
7 Dr. Tsou, I think you should look at it. It was
8 passed in 1989, 1990. Carol Rogers was here and
9 it was a law that said that staffing levels and
10 service levels at City health centers had to be
11 maintained at a certain -- set at a certain level
12 and if you go below that, the City, the Mayor and
13 the Administration had to bring them up to those
14 levels, and that was passed and signed by the
15 Mayor.

16 And that has not been taken off the
17 books, so the Administration has a responsibility,
18 has a responsibility to come before this Council
19 and ask for appropriations to maintain the health
20 centers at the levels set within those levels of
21 services that are in that legislation.

22 Miss -- who's next?

23 MR. JOHNSON: Miss Kelly, but can I say
24 -- I've just been told that the School District
25 incurring the costs for the one person that we

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2 talked about. Now, we got a broke school
3 district, so somewhere along the line, we need to
4 -- Dr. Tsou need to be (inaudible).

5 COUNCILMAN ORTIZ: I have always said
6 that, right?

7 MR. JOHNSON: And let me say this,
8 really, is that this health department is
9 responsible for the care -- let me back up.
10 Private schools are public schools. We got a
11 widespread problem there that we're not even
12 looking at.

13 COUNCILMAN ORTIZ: Vernard, we
14 understand that --

15 MR. JOHNSON: Parochial schools --
16 they're our children too. They got old buildings
17 too. 'Cause they have Catholic old school
18 buildings don't mean they immune to the drinking
19 water. We got a serious problem.

20 Thanks, Councilman.

21 COUNCILMAN ORTIZ: Let's get to the
22 young ladies.

23 MS. SHEPHERD: Good evening. My name
24 is Kelly Shepherd.

25 COUNCILMAN ORTIZ: Microphone closer,

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2 please.

3 MS. SHEPHERD: Good evening. My name
4 is Kelly Shepherd. I'm here as the parent of four
5 children that are in the school system.

6 My youngest son Joshua, in June of '99,
7 his lead level was at 21, at which time the City
8 came out to my home and they inspected. Upon
9 Joshua entering the school system in September,
10 his level was down to 14.

11 My oldest son, which is 11 years old, I
12 was told that I didn't have to have him tested as
13 well as my other two children that are 9 and 10,
14 at which time James had a physical August the 28th
15 of this year, and his lead was fine. Upon having
16 another -- well, more blood work done in October
17 of this year, the doctor called me with some
18 concerns because his lead level was up to 13.4 at
19 this point.

20 I spoke to Vernard about it because I
21 had some concerns only because I was told that my
22 older kids didn't have to be tested. So now I'm
23 going through the process of having the other
24 children tested, and I was kind of upset because
25 James was still drinking water in his school, and

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2 no bottled water was given out.

3 COUNCILMAN ORTIZ: What school is
4 that?

5 MS. SHEPHERD: This is Beeber Middle
6 School.

7 In reading an article in the paper,
8 Beeber --

9 COUNCILMAN ORTIZ: Could board take
10 note of that, please, the board representatives?

11 MS. SHEPHERD: I read the article in
12 the Sunday Inquirer, which stated that at Beeber,
13 their testing had been done, and out of 127
14 outlets, 16, which is equal to 13 percent of the
15 fountains, tested for 20 ppb.

16 I called the school and I spoke with
17 the principal and I asked her if any other faucets
18 had been cut off or anything and she said no. I
19 also got in touch with some of the parents at the
20 school for the Home and School meeting, and they
21 knew nothing about it. I called my elementary
22 school, Overbrook Elementary, where my other
23 children, that Home and School; they knew nothing
24 about it. Nothing is going out, no one knows
25 anything.

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2 I am now buying about four cases of
3 water so that I can provide my children with water
4 so they can have water during the day. Sometimes
5 -- well, before this happened, my son James, I
6 told him he could not drink the water, and that
7 was that. And he said, Well, if I don't buy
8 anything from out the machine, I don't have
9 anything to drink. Sometimes the milk is sour,
10 what am I supposed to do? So now I provide all my
11 children with bottles of water, eight ounces, I
12 give them two each, and that's what they have to
13 drink.

14 And then sitting here today and in
15 listening to everything that's being said, I think
16 that I'll just continue that because I don't know
17 who to believe or what to believe.

18 COUNCILMAN ORTIZ: Well, we're trying
19 to find out who to believe, but let me tell you
20 something, we're going to get down to the bottom
21 of it.

22 Beeber, you said?

23 MS. SHEPHERD: Yes, Beeber Middle
24 School.

25 COUNCILMAN ORTIZ: Beeber Wynnefield?

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2 MS. SHEPHERD: Yes.

3 COUNCILMAN ORTIZ: We have no numbers
4 on Beeber Wynnefield as to a date of pre-sampling,
5 inspection date of sampling, sample report, we
6 have nothing on Beeber Wynnefield. So I guess
7 Beeber Wynnefield was not tested.

8 I think -- is there somebody in the
9 School District that can explain that? Because I
10 have here a chart from your from your district
11 provided to me by the Philadelphia School District
12 -- oh, by the EPA, sorry, "Lead in Drinking Water
13 Sample Results," and I have Beeber, Beeber
14 Wynnefield. And I have -- for other schools, I
15 have the date of the pre-sampling, the date of the
16 sampling, the sample report, number of outlets
17 sampled, number of outlets exceeding 20 ppbs.

18 Is there anybody there?

19 MS. BAKER: I can.

20 COUNCILMAN ORTIZ: Come forward,
21 please.

22 (Witness comes forward.)

23 MS. BAKER: Councilman, I'm Denise
24 Baker. I'm with the School District.

25 COUNCILMAN ORTIZ: Right.

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2 STENOGRAPHER: I'm sorry, what was the
3 name?

4 MS. BAKER: Denise Baker, B-A-K-E-R.

5 COUNCILMAN ORTIZ: And your title?

6 MS. BAKER: Assistant general counsel.

7 I have the October test results that
8 will be going to the EPA -- that went to the EPA
9 today, actually mailed out. And it says here for
10 Beeber Junior -- they call it "Beeber Junior
11 High," which may be -- but it's the same school.

12 COUNCILMAN ORTIZ: That's Beeber
13 Wynnefield, it's the same one.

14 MS. BAKER: Yes. It was -- the
15 pre-sampling inspection was June 30, 2000. What's
16 known as the "initial sampling event" occurred on
17 July 28, 2000. The initial sampling event data
18 was received --

19 COUNCILMAN ORTIZ: There's Beeber and
20 Beeber Wynnefield.

21 MS. BAKER: Beeber and Beeber
22 Wynnefield. Well. . .

23 Well, then I cannot help you because I
24 do not have the results for Beeber annex, in which
25 case, I will --

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2 COUNCILMAN ORTIZ: She's talking about
3 Beeber Wynnefield.

4 MS. SHEPHERD: Right. And it's not the
5 annex. The annex is further down. I'm talking
6 about the main school on 58th and Malvern.

7 MS. BAKER: Okay, I don't have it by
8 date, but I will check the results to make sure
9 that we have done all --

10 (Addressing colleagues) We have done
11 that school, correct?

12 MS. HOOVEN: Yes.

13 COUNCILMAN ORTIZ: 'Cause I got this
14 from the EPA and it's not here.

15 MS. BAKER: Okay, I will get those
16 results to you this --

17 COUNCILMAN ORTIZ: And this is as of
18 11/9/2000.

19 MS. BAKER: I will get those results to
20 you.

21 COUNCILMAN ORTIZ: But you understand
22 the concerns that this mother has.

23 MS. BAKER: Yes, I do understand those
24 concerns. I'm a parent myself.

25 Thank you. Sorry I couldn't be

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2 helpful.

3 COUNCILMAN ORTIZ: Thank you.

4 Ma'am?

5 MS. WRIGHT: Good evening. My name is
6 Falaka Wright, and I'm with the Concern Parents of
7 Philadelphia, a committee that I formed on my own,
8 because I couldn't get any help from the District,
9 nor the EPA, as far as the problems with the lead
10 is concerned.

11 I would first like to thank my
12 committeeman, Councilmember Ortiz, because I've
13 been dealing with this since last year, and you
14 have been the first elected official who actually
15 stood up and said, Hey, we're getting to have some
16 immediate hearings on this issue because
17 children's lives are at risk, and that's what we
18 need to stay focused on.

19 I would secondly like to thank Tom
20 Ferrick of the Philadelphia Inquirer because he
21 was my only means, number one, as being a human
22 being; two, as a parent; and third, as a citizen,
23 of even knowing that there was a problem in the
24 Philadelphia School District.

25 COUNCILMAN ORTIZ: We seem to -- a lot

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2 of times, we seem to find out things from the
3 Inquirer or from the Daily News that we should --
4 government should let us know about.

5 MS. WRIGHT: Exactly.

6 COUNCILMAN ORTIZ: And the rape cases
7 and so on in terms of the Police Department, we
8 didn't know anything about that until the Inquirer
9 said it, because every time they come here,
10 everything is fine.

11 MS. WRIGHT: Yes. And Tom Ferrick has
12 been very helpful to me throughout this process.
13 I've been in touch with Bonnie Smith of the EPA.
14 At that time, I was with the State legislature's
15 Office. She called me back, she was very hostile
16 with me and told me there wasn't a problem. I
17 then contacted Jackie Sparkman of the
18 superintendent's office, same thing.

19 The only reason why people become aware
20 of this problem now is because Mr. Ferrick's
21 article finally hit the front page. These are
22 articles that he just started publishing; these
23 are articles was in the Inquirer since last year.

24 The EPA, along with the School
25 District, along with the Health Department, as far

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2 as I'm concerned, are negligent, contributory
3 negligence, because I have the right to know. The
4 Congress felt I had a right to know when they
5 passed legislation 12 years ago that gave the EPA
6 the authority to monitor and enforce that these
7 tests were being done. I have the bill right
8 here, Councilman Ortiz. To enforce that this
9 procedure would be done and it would be done
10 expeditiously, not still in the year 2000, and
11 we're still talking money. That's number one.

12 Number two, the outside contractors
13 that the District hired, which is the Keating
14 Corporation, I have a report here from the Keating
15 Corporation where they admitted to a lot of the
16 samples were mislabeled or lost. They had to take
17 their personnel and retrain them and in doing so.
18 So how do you have a corporation that's supposed
19 to be, you know, held to a standard, who's losing
20 in this labeling test samples? So, therefore,
21 we're not even sure really about the samples, the
22 test. They openly admitted it, I have the report
23 right here.

24 COUNCILMAN ORTIZ: Can you give a copy
25 of that?

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2 MS. WRIGHT: Oh, I sure can.

3 COUNCILMAN ORTIZ: You know, I
4 understand what you're saying. Liability is
5 something that we don't talk about, but it is
6 something that if a parent can -- if a parent can
7 say that a kid has been harmed through a problem
8 that they have encountered in school and the
9 school system knew about that and did not fix it,
10 it's scary what the liability that can be ensued
11 from there.

12 Yes, ma'am, finish your statement.

13 MS. WRIGHT: I'm going to wrap it up.

14 As I said, I think it's horrendous that
15 I had to rely on the media to inform me as to my
16 children's well-being. That's an insult. And as
17 we all know, whenever the media is involved in any
18 other situation, they've always been considered to
19 speculate; so, therefore, they want facts. Well,
20 how can you get facts when the EPA doesn't want to
21 hand you over a test result, the School District
22 is saying there's not a problem, the principals
23 and staff -- the staff, teachers never even knew
24 that they were in grave danger. That's
25 negligence, okay?

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2 And because of their negligence and
3 their lack of even wanting to tell the truth about
4 these things, I had to go out and consult with the
5 environmental group, one being Clean Water Action,
6 another being High Tech Waste Recycling, to help
7 me to understand because, no, my degree is not in
8 biomedical, scientific, or environmental issues,
9 okay? But you don't have to be a rocket scientist
10 to figure it out. The facts are in, lead is bad,
11 get rid of it, okay?

12 So because of me consulting with these
13 groups, they submitted a proposal to the School
14 District in which there is a bill that State
15 legislators passed, Act 29, which is considered
16 the Guaranteed Energy Savings Act that will help
17 the District in remedying this problem. There's
18 monies available underneath this act. It's almost
19 like a weatherization program, if you would, where
20 people with their houses, when they get certain
21 things, because done when Congress passed this
22 bill, they knew that these things would -- this
23 process would be very expensive and that's why
24 there's monies available on the federal level and
25 the State level. So when they are talking about

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2 money, I have so many documents, I mean, that
3 strictly says that this money will be appropriated
4 as needed under the review of the EPA.

5 So, again, I would like to thank you,
6 Councilman Ortiz, because --

7 COUNCILMAN ORTIZ: I want to thank you
8 for sticking with it.

9 MS. WRIGHT: Right. Well, thank you.

10 COUNCILMAN ORTIZ: Okay, I want to
11 thank you for sticking with it and making us
12 aware.

13 Thank you very much, all of you, for
14 coming and having the patience. This committee
15 and this resolution stands in recess until January
16 17, 2001, at 10 a.m.

17 (Adjourned at 5:45 p.m.)

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RE: JOINT COUNCIL COMMITTEES ON PUBLIC HEALTH AND

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HUMAN SERVICES AND PUBLIC SAFETY

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RESOLUTION NO. 000635

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JOSEPHINE CARDILLO,

Registered Professional Reporter