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Before the House Subcommittee on Environment and Climate Change

"MISMANAGING CHEMICAL RISKS: EPA'S FAILURE TO PROTECT WORKERS"

March 13, 2019

Good afternoon Chairman Tonko and Ranking Member Shimkus, and all of the distinguished members of the subcommittee.

My name is Wendy Hutchinson, and I am a science and health educator at Edmondson-Westside High School in Baltimore, Maryland. Edmondson-Westside is a school in the Baltimore City Public School System, and I have been a certified health educator there for over 10 years. I also am the academic adviser for the boys basketball team. Over the years, I have served on a variety of committees that advocate for students, and I have been recognized as teacher of the month twice. I enjoy being an educator, working with young people in the roles that I do.

I truly appreciate the opportunity to be here today to discuss my perspective on the EPA's failure to protect teachers and other workers like me who work in the public education system. I also hope to raise awareness about how the lack of investment in school infrastructure, particularly in those schools serving high numbers of students of color, impedes learning by forcing students to attend schools that are unhealthy and in ill repair . My comments will mainly focus on the following:

- Examples of asbestos removal in Baltimore schools and misinformation to the public.
- Persistent presence of lead in Baltimore schools' fountains and pipes and the continued reliance on bottled water.
- And finally, my personal experiences with a combination of hazardous environmental exposures in the Baltimore City Public School System.

Let's begin with **asbestos removal in Baltimore schools:** In 2017, the *Baltimore Sun* and numerous other news outlets reported that parents of Rosemont Elementary and Middle School students boycotted the school by keeping their children home from school because of district officials' plans for a roof replacement project that involved removing building materials that tested positive for asbestos.

The plan was to have contractors remove the roof during after-school hours from January through June. Pursuant to state and federal guidelines, contractors were expected to seal off and wet work areas to prevent particles from spreading. In addition, each day, air samples would be taken before students were let back into the building. Parents advocated for students to be temporarily relocated while the work was done, but district leaders suggested that relocation wasn't necessary for roof abatement.

District officials maintained that the school building was safe for occupancy, but, as you can imagine, parents felt uncomfortable sending their children into a school building only hours after workers would be removing asbestos.

What's alarming is, it was only after parents raised their concerns that the Baltimore school board voted to increase the amount of money for the project.

I share this story because Rosemont is only a few miles away from my school, and both buildings were constructed during the time when asbestos was commonly used. I believe that as our state's school buildings continue to age and deteriorate, students and teachers like myself are subject to being exposed to deadly asbestos fibers, among many other environmental hazards. What's worse is that while some school districts are ignoring the obvious, other districts are simply not aware of the ramifications of environmental hazards and the specialty with which they must be abated.

As I prepared for this hearing, I was told by colleagues that leadership at the EPA is narrowing how they assess the impact and health risks of toxic chemicals such as asbestos on school employees and workers. Teachers, staff and students continue to be exposed to deadly asbestos even 33 years after the Asbestos Hazard Emergency Response Act was passed. From what I understand, the EPA is not meeting its responsibility of enforcing AHERA and its oversight of states that receive federal grants to do so. The result?

As many of the experts on this panel will inform you, there is no safe level of exposure to asbestos. Even minimum exposures can lead to significant diseases such as mesothelioma, lung cancer or asbestosis.[i] In fact, in a study that took place

from 1999 through 2001, the National Institute for Occupational Safety and Health found an elevated rate of the rare deadly mesothelioma among elementary school teachers whose potential exposure to asbestos was at school. I have a co-worker who died of lung cancer. I can only equate the environmental hazards that she came in contact with while working for many years in a school that was built in 1955 and has not been completely renovated to her untimely and early death.

Although it is now a known human carcinogen, asbestos has previously been used in school buildings, especially from 1946 through 1972.[ii] So that means that some 131,000 public and private school facilities in the United States, and more than 57 million students, teachers and other workers, are potentially exposed.[iii] My school, Edmondson-Westside, was built in 1955.

Recent reports of the EPA's Office of Inspector General, in 2013 and 2018, have found lax EPA oversight and enforcement on asbestos and other environmental hazards at schools. Students, teachers and staff being exposed to dangerous asbestos and other toxic chemicals deserve better from an agency tasked to protect workers and children from harmful environmental hazards in the workplace and in their places of learning.

Next, I'd like to discuss **lead in Baltimore schools:** Lead testing in water sources in Baltimore City Public Schools was mandated in 2017 after a decade of banned water use in public school facilities across the state.

Since testing began after the 2017 law, elevated levels of lead have been found in nearly all of the 170-plus schools in the city school system.[iv] For years, city schools have hauled in plastic water bottles and containers in order to provide safe drinking water for students. The schools' reliance on bottled water due to lead in drinking fountain water is notorious. But fixing the problem would mean replacing all the water pipes, which could cost millions of dollars per school. My school has not been renovated and is currently low on the priority list for renovation.

I visited the Baltimore City Public Schools' website and found that as the school district continues to try to improve school buildings, it has installed water filtration systems in some schools and upgraded plumbing in new buildings. To date, some 14 have working water fountains and clean water in their kitchens. And as a result, these schools no longer receive bottled water for drinking or cooking.

I do know that some members of the Maryland General Assembly have stepped up by working to expand upon the mandate from 2017. But, the legislation being discussed is for a grant program, so it suggests that lead abatement remediation funding is rather limited and lacks the urgency it deserves.

Finally, I'd like to share **my personal experiences** with a combination of hazardous environmental exposures in the Baltimore City school system.

My fellow teachers and the students I teach all know and feel the effects of the lack of investment in public education, from the significant health and safety risks to the profound lack of opportunity to thrive for communities of color.

How do we send children to schools that are laden with contaminated water or inadequate air quality? In my cases, parents are unaware that they are sending their children to substandard learning environments. Our children and those working in public schools deserve better, and that begins with the EPA assuming full responsibility for these issues. Supporting school workers, such as teachers, administrators and other school-related personnel, is critical.

While the EPA has regulatory authority to mandate significant protective measures to spare teachers, staff and students from exposure to harmful conditions, it has generally failed to do so. Asbestos and lead are just two examples. The agency has not developed robust enforcement and guidance for other chemicals, such as graffiti removers, which often contain methylene chloride, or PCBs in our old light fixtures. Exposed school workers over the course of long careers in the same building silently suffer the potential long-term consequences.

Another step that can be taken to help make school buildings safe is providing more resources for school infrastructure. In 2017, in a report on the nation’s infrastructure, the American Society of Civil Engineers gave school facilities a D-plus. According to the report, nearly 53 percent of public schools needed to make repairs, renovations or upgrades to be in good condition. That is why I was

heartened to learn that the Rebuild America's Schools Act is beginning to move forward in the U.S. House of Representatives.

As I close, I want to impress upon you that investing in rebuilding and modernizing public schools is highly important to the health and safety of children and school employees alike. To help with this advocacy, my national union the American Federation of Teachers is launching Fund our Future, a national campaign to get necessary sustainable investments in our public schools and public colleges. We are ultimately talking about the quality of the American workforce because students can't learn in building conditions that compromise their capacity to learn.

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[i] Hilda Garduno, Eric Lewis, Ryan Maxwell and Julie Narimatsu, "EPA Needs to Re-Evaluate Its Compliance Monitoring Priorities for Minimizing Asbestos Risks in Schools," EPA, Office of Inspector General, Sept. 17, 2018, page 2.
[ii] Garduno et al., "EPA Needs to Re-Evaluate," page 1.
[iii] Garduno et al., "EPA Needs to Re-Evaluate," pages 1-2.
[iv] John Rumpler and Christina Schlegel, "Get the Lead Out: Ensuring Safe Drinking Water for Our Children at School," Environment Maryland Research & Policy Center, February 2017, page 16.