

CITY OF PHILADELPHIA
DEPARTMENT OF PUBLIC HEALTH
AIR POLLUTION CONTROL BOARD

The meeting of the Air Pollution Control Board was held Thursday, January 25, 2018,
At the Municipal Services Building, 1401 John F. Kennedy Boulevard, 16th Floor, Room X.

Eddie R. Battle, Chairman, presided:

ATTENDING:

MEMBERS:

Eddie Battle, Chair of the APCB
Dr. Arthur Frank, Member, APCB
Dr. Shannon Marquez, Member, APCB
Joseph O. Minott, Member, APCB
Thomas Edwards Jr., Member, APCB
Terry Soule, Member, APCB
Dr. Caroline Johnson, Deputy Health Commissioner, PDPH

STAFF:

Kassahun Sellassie, Director, Air Management Services (AMS)
Ed Braun, AMS Program Manager
Hallie Weiss, Administrative Engineer, AMS Laboratory
Keith Lemchak, Administrative Engineer, AMS
Bajram Nela, Engineering Supervisor, AMS
Rahel Gebrekidan, Engineering Specialist, AMS
Henry Kim, Chief Program Services, AMS
Rachel Andes, Voluntary Programs Coordinator, AMS
Edward Wiener, Chief Source Registration, AMS
Thomas Barsley, Administrative Engineer, AMS
Richard Annunziato, Asbestos Manager, AMS
Jiazheng Li, Environmental Engineering Specialist, AMS
Ed Skirkie, Air Pollution Control Inspector Supervisor, AMS
David Perri, Commissioner, Philadelphia Dept. of Licenses & Inspections
Patrick O'Neill, Environmental Counsel for the City of Philadelphia
Dennis Yuen, Environmental Counsel for the City of Philadelphia
India McGhee, Environmental Counsel for the City of Philadelphia
James Garrow, Director Digital Public Health, PDPH
Sofia Guernica, Office of Sustainability, PDPH

GUESTS:

Dr. Tran Huynh, Assistant Professor, Drexel University
Marilyn Howarth, Director, Center for Excellence in Environmental
Toxicology (CEET), UPENN
Dr. Richard Pepino, Deputy Director, CEET, UPENN

Jessica Meeker, Student Intern, UPENN
Tom Mckeon, CEET Staff, UPENN
Danielle Algazi, Environmental Specialist, EPA
Tom Weir, Citizen of Philadelphia

1. WELCOME

The proceedings commenced at approximately 2:05 p.m. Chairman Battle asked the Board members to introduce themselves.

2. ACTION ON MINUTES

Chairman Battle asked for additions or corrections to the minutes. Hearing none, he asked for a motion to approve, which was seconded and so moved.

3. PROGRAM UPDATE

by Air Management Services Director Kassahun Sellassie (Update)

Dr. Sellassie introduced himself and offered a PowerPoint presentation of the Air Program's updates (see attached).

Dr. Sellassie summarized the air quality (AQ) monitoring data, comparing the 2016 AQ to 2017 AQ data. He states the unhealthy days are from Ozone only, not from PM 2.5. He explains that although we are getting closer to the 2008 Ozone standard, which is .075ppm, further analysis is needed of the higher (0.076-ppm) readings at Northeast airport.

Other updates discussed were: EPA is taking direct final action to approve AMS' negative declaration for hospital medical infectious waste incinerators (HMIWI); The World Meteorology Organization reported record high CO2 concentration level of 403.3 ppm in 2016, 3.3 ppm greater than the 2015 level, the largest year-to-year increase ever recorded; The United Nations Climate Change Conference was held in Bonn, Germany on November 6, 2017. Although the US attended the conference, the US is not a member of the Paris Agreement.

In addition, the AMS Laboratory, Quality Improvement (QI) section, and Outreach activities were discussed. In closing, he summarized the quantitative numbers from AMS' Regulatory Services Activities.

Questions/Comments:

Mr. Minott: The fines that are unpaid, are these entities still doing business?

Dr. Sellassie: Yes, that is a good point. We will have our inspectors follow up on that.

Mr. Soule: On those 30 idling violations, were those widespread or specific sites?

Mr. Lemchak: Nineteen violations were issued at 30 observed sites.

Dr. Frank: If you resolve 9 asbestos violations and only collect \$7,600 in fines, that is very small money for very hazardous material. What are you allowed to fine them?

Mr. Annunziato: For local regulations the fines range from \$500 to \$1,000 per violation. For National Emissions Standards for Hazardous Air Pollutants (NESHAP) violations the fines are much larger, ranging from \$2,500 to \$25,000. Our inspectors are focusing on the construction industry in addition to our regulatory compliance inspections at this time.

Dr. Frank: My concern is building a \$30,000 fine into a major construction job is peanuts for those violators who should know better. It's one thing to issue a small fine to a homeowner doing renovations and quite another for someone knocking down a building. Do you ever refer to EPA for criminal enforcement?

Mr. Annunziato: Absolutely

Mr. O'Neill: The Asbestos Program has worked diligently for the last 30 years to train folks to do things correctly. We are also looking into working with the Attorney General's Office due to the current Administrations' enthusiasm over these types of matters.

Mr. Minott: I share Dr. Frank's concern that those are very low fines.

Mr. Annunziato: We are finding higher levels of compliance.

Mr. Soule: Regarding the 12 unhealthy days (Ozone exceedances), are we making any correlation as to why (traffic congestion, temperature, major source upsets).

Dr. Sellassie: It is Ozone transport to NE Airport area. Our future research plan: Philadelphia Air Quality Survey (PAQS) will focus on why.

4. PRESENTATION ON LEAD IN SOIL(FISHTOWN)

by Marilyn Howarth and Dr. Richard Pepino; UPENN (see attached)

Dr. Howarth states that she was contacted by parents of the Fishtown community who were concerned that despite the fact that they lived in new housing where no lead paint was used, their childrens' blood lead levels were elevated. The parents were concerned that the former lead smelters of the Kensington neighborhood area may be a contributing factor. She states that a community meeting was held to address concerns of dust on cars and porches daily; walking through clouds of dust.

She contacted AMS who was already aware and involved in this effort. Penn worked with AMS to devise a plan for inspectors to provide us with the locations of all of the complaints when they occurred. Penn students also went to the sites and assisted with the evaluations.

What was found was “lead in Fishtown may have been contributed to by some of these smelters but it is similar to other neighborhoods with elevated blood levels.” In collecting the data, Penn did see a correlation of soil being a contributor to lead levels. The researchers are not suggesting that the soil exposure is rivaling the paint exposure but to minimize exposure, good ground cover, washing of sidewalks and porches, and other control mechanisms should be put in place. Regardless of where in Philadelphia, they think that the dust should be well controlled because lead is in it. There is no safe level of lead exposure for children. Preventative measures should be taken to limit lead exposure to children from water, lead based paint, and open road dust.

Dr. Howarth concluded by stating, “We hope to continue to work with Philadelphia agencies (AMS and L& I) to bring good science to regulators and Public health Professionals to assist in creating Public Policy.”

Questions/Comments:

Mr. Minott: How did the parents know to have their children tested? Is lead routinely tested at that age in Phila?

Dr. Howarth: In Philadelphia the current recommendations are for children one to two but there is no universal testing.

Dr. Johnson: Yes: for “at risk”, children at that age level, and pretty much everyone who lives in Philadelphia qualifies under some of those guidelines.

Dr. Frank: Did you rule out lead pipes for the water?

Dr. Howarth: The individuals who came to us did not believe they had lead pipes in their house; but no we did not, independently rule out or test the pipes.

Dr. Johnson: Every child in Philadelphia has had a lead exposure. Once elevated levels are discovered and the Lead Program went in for further investigation there was not one instance found where the child was not exposed to lead either in the home or at a daycare. Even in new homes where no lead paint is used, there still was a lead exposure.

Mr. Minott: How do we sort that out? Are any new regulations on the table to look at this?

Dr. Howarth: Start by getting the child tested then work from there trying to reduce the overall exposure.

Dr. Marquez: Since 2017, what follow up has taken place. What resources have been provided to those parents who initially complained?

Dr. Howarth: We made them aware of the multiple other sources of lead (soil) although they originally came to us about the smelters. They are aware of the regulations and policies that were put in place; they know we are collecting data & they are very pleased with the Health Departments response time to dust complaint.

Dr. Pepino: The residents have supplied addresses (list of vacant lots) so as soon as the weather stabilizes UPenn will begin before and after road and soil sampling.

Mr. O'Neill: The lead levels of children in neighborhoods with former smelters were not found to be higher than those of children in other neighborhoods. Why is that?

Dr. Howarth: The reality is that the blood level testing that is done largely reflects a composite of paint and other things so to determine that I would need the data of kids with elevated blood levels where the further investigation did not show a house with lead.

Mr. Minott: Is lead like asbestos, meaning if it is not removed properly it is very hazardous?

Dr. Howarth: Absolutely. Lead is a very heavy chemical; it does not wash away when it rains. Although we were not able to say definitively that the lead content on streets with more construction/demolition is higher, or that the lead content changed during or after construction, the data suggests that soil can be a contributor to lead levels.

5. SOIL REMEDIATION AND SOIL TESTS AT VARIOUS OLD LEAD SMELTER LOCATIONS

by Licenses and Inspections Commissioner David Perri (Update)

Mr. Perri states he is reviewing the excavation and the normal building process to see if there are things that need to be changed. He discussed current excavation projects (lead in soil). He stated there were 5 addresses of concern:

- Car-Mor Metal Co. - 2319 Gaul St. 19125 (demolished)
- Anzon Lead Inc. - 2545 Aramingo Ave. 19125
- William White - 1506-1514 Wilt St. 19125
- A & L Metals Corp. - 2117 E. York St. 19125
- Galvanization Plant - 2501 E. Hagert St. 19125 (same area as 2319 Gaul St.)

Of those, he reviewed two projects. For 2320 Gaul Street a developer was asked to come in to do additional soil testing. The results were low for lead in the soil so this shows that the floor slab adequately provided a barrier against any lead (on top soil). For 2501 Hagert St. (demolition has not occurred yet) a full building inspection was done where they did not visually see any contamination. However, the developer has agreed to do further testing after the demolition process and have a hygienist on site. Keep in mind, untouched top level soil at a construction site

may have increased lead levels due to it just lying there untouched. Over time, during the construction process the soil is mixed. Once below that top couple of inches we are not finding high concentrations of lead on a typical site.

To further assist, Mr. Perri has a 3rd party that can verify what the contractor does; engineering contract to do air monitoring/soil testing as needed at some sites. Lastly, they have all of their inspectors going through EPA training about on properly sealing off an area from contaminants when doing renovations; to give them the awareness of what that procedure looks like and to be able to make a referral to direct folks to the proper methods of doing so. In addition, L&I is putting EPA materials on their website (proper way to do renovations).

Questions/Comments:

Mr. Minott: If it was not discovered that there was lead in soil would you have discovered these other contaminants?

Mr. Perri: No. This is not something that L & I generally does. Our inspectors deal more with contractors and construction (inspection/building codes); we do not see the Phase 1 and Phase 2 chemical analyses of these buildings because the soil conditions do not affect what we do as a department.

Dr. Frank: Is anybody looking at the soil? Somebody should be checking these old Lead smelters.

Mr. Perri: Although we are looking at the deconstruction of the building when we go out, we attend the community meetings and are willing to help other City agencies.

Dr. Johnson: Are these former lead smelter areas automatically termed Brownfields? Do they fall under Department of Environmental Protection (DEP)/Environmental Protection Agency (EPA)?

Mr. O'Neill: In definition, yes, but they do not have any testing requirements of soil for the owners.

6. DISCUSSION/UPDATE ON NAIL SALONS

by Tran Huynh, Ph.D. Drexel University Assistant Professor (Update).

Dr. Huynh gave an update on her work with AMS and nail salons. She is seeking to create a technical systems manual and she contacted AMS to help with the (creation of ventilation) best practices for nail salon owners. She is planning to roll out a pilot intervention study focusing on the four areas of chemical protection, infectious diseases, ergonomics, and worker rights.

Dr. Huynh discussed her pilot research programs on nail salons, outreach and teaching the workers and owners about the health and safety of the nail salon. The pilot study will hold six

months. It will study health symptoms, skin conditions, handling chemicals, and include workshops and training for workers and owners of nail salons. It will advise owners how to implement the changes. She is hoping to roll out the intervention study sometime in late summer. She thinks her biggest limitation will be resources for hiring a translator.

She states that she is “continuing her outreach work of developing a series of comprehensive intervention materials to encourage organizational changes by the owners and also to increase knowledge and awareness among nail technicians in the four areas mentioned above.”

Questions/Comments:

Mr. Battle: Does the City have bilingual specialists to assist Ms. Huynh?

Dr. Sellassie: We have only one.

Mr. Minott: I recommend forming a sub-committee for further analysis and discussion; keeping in mind that we do not want to burden Philadelphia businesses (making them not competitive).

7. OLD BUSINESS

There was no old business.

8. NEW BUSINESS

There was no new business.

9. ADJOURN

The meeting adjourned at approximately 3:40 pm.