



Laurence Molloy, 365 W. 20 Street, New York, NY 10011

June 5, 2012

Martin Rosenblatt
160 W. 97th Street
Apartment 11B
New York, NY 10025

Dear Mr. Rosenblatt:

A parking lot between 784 Columbus and PS 163 on 97th Street has been housing cars for the last sixty years. During the 1950's through the 1970's gasoline contained lead which contaminated the soil. Regular" gasoline typically contained approximately 4.0 grams of lead whereas "hightest" typically contained twice that amount,

On April 10 and again on April 28, I collected soil samples from the parking lot. The first samples were surface soil whereas the samples taken on April 28th were from six inches deep.

Again on May 31, we visited the site and collected six additional samples from other areas of the parking lot. Laboratory analysis of these samples shows that fully a third of the samples contain or exceed the maximum allowed level of lead in playground soil. One of the samples close to the school contained 410 mg/kg. See the attached lab report from EMSL Analytical.

These levels and the others from previous samplings clearly indicate that construction in this parking lot would pose a clear hazard to the children of PS 163. If the lead from these areas becomes airborne and drifts onto the public school next door, it could cause overall contamination in the school building requiring costly and extensive remediation.

Please do not hesitate to contact me for further information or clarification.

Sincerely,

Laurence B. Molloy
Bachelor of Architecture
American Industrial Hygiene Association
NIOSH 582 Air Technician



Laurence Molloy, 365 W. 20 Street, New York, NY 10011

May 18, 2012

Martin Rosenblatt
160 W. 97th Street
Apartment 11B
New York, NY 10025

Dear Mr. Rosenblatt:

This week, the Centers for Disease Control lowered the recommended limit for lead in childrens' blood from ten micrograms per decaliter to five micrograms per decaliter. This adds 200,000 children in the United States believed to have unsafe blood lead levels. There may be many more if construction is permitted on the Upper West Side.

A parking lot between 784 Columbus and PS 163 on 97th Street has been housing cars for the last sixty years. During the 1950's through the 1970's gasoline contained lead which contaminated the soil. Regular" gasoline typically contained approximately 4.0 grams of lead whereas "hightest" typically contained twice that amount,

The Clean Air Act mandated the elimination of lead from all U.S. motor fuel by January 1, 1996. However, today "unleaded gasoline" is allowed to contain no more than 5/100ths of a gram of lead per gallon. The parking lot housed cars loaded with leaded gasoline for more than fifty years.

On April 10 and again on April 28, I collected soil samples from the parking lot. The first samples were surface soil whereas the samples taken on April 28th were from six inches deep. Laboratory analysis reports from both samples are attached. The soil definitely contains lead and is certainly a potential hazard to school children if blown onto the adjacent school grounds. On the whole, the soil from six inches deep contains more lead than surface soil.

However, the surface soil I collected April 10th from the north central section of the parking lot contains 1044.2 micrograms per kilogram of lead. Another high level of lead in soil was found in the north east section of the parking lot 442.6 micrograms per kilogram. If the lead from these areas becomes airborne and drifts onto the public school next door, it could cause overall contamination in the school building requiring costly and extensive remediation.

The amount of lead in the parking lot soil varies considerably across the lot. Many of the samples have lead that exceeds the US EPA maximum for playgrounds. There is a considerable risk that disturbing parking lot soil through construction would contaminate

the PS 163 playground and be tracked into the school as well as other buildings and schools in the vicinity.

On the 28th the samples were split and then sent to: Eastern Analytical Services, 4 Westchester Plaza, Elmsford, New York (914/592-8380 and dropped off at EMSL Analytical, Inc. 307 W. 38 Street, New York City. Both labs are New York State certified testing laboratories, also certified by the American Industrial Hygiene Association. They performed tests to determine the level of lead in the samples I sent them.

The testing procedure that they used to analyze the samples that I sent them using a standard chain of custody protocol was as follows: Dry samples to remove water, weigh samples, digest samples in acid solution, and place each digestion in an atomic absorption spectrophotometer to measure lead levels.

A report was issued after laboratory procedures were performed that established that the parking lot contains in various areas high levels of lead and that the level of these concentrations would be a potential hazard to the children in the adjacent school, PS 163, as well as the adjacent apartment building residents and an additional Lubavitch day school across the street from the proposed construction site.

In addition, the federal standard for lead in playground soil is 400 micrograms per kilogram. However, the soil from the center of the parking lot has 2.61 times higher lead than permitted in playground soil. During construction, the dust from the parking lot could easily blow onto the school playground and contaminate the soil.

Furthermore, the drifting soil could invade the school building requiring costly and extensive remediation. The current level of lead in the school soil taken near the doorway in the driveway is 95.5 micrograms per kilogram. There is a kindergarten in this school. If airborne lead dust were to enter the school building, it could cause the floor dust level to exceed 40 micrograms per square foot which would require extensive remediation and testing.

In addition, if the lead from the construction site becomes airborne and mixes with the dust in the air and enters apartment of 784 Columbus, 788 Columbus, the apartments facing west of 808 Columbus, the eastern facing apartments of the huge building complex at 765 Amsterdam Avenue, the large apartment buildings directly across the street, 120-160 West 97th St. known as Stonehenge Village, which have young children and families in increasing numbers, the Lubavitch school next to 160 W. 97th Street which also has many young children in attendance, then there would also be a violation of EPA regulations of 40 micrograms per square foot on the floors of these apartments.

Also, to remove the lead from this lot would become more complicated if there was lead found in the water beneath the parking lot. This would be another source of lead contamination. Park West Village has serious water drainage problems so that construction bath tubs were required in prior construction.

Although no lead samples were taken from the water, lead over several decades would have seeped through the soils and entered the water beneath the parking lot. If this has happened, the water beneath the parking lot would have to be pumped out and stored in barrels in a federal waste facility.

So, there are serious health hazards to the children of PS 163, the surrounding apartment buildings and the Lubavitch school as a result of any airborne lead that results from construction at the site identified for the CON.

Sincerely,

Laurence B. Molloy
Bachelor of Architecture
American Industrial Hygiene Association
NIOSH 582 Air Technician