

Philadelphia City Council – License & Inspection Committee Hearing – November 28, 2017

Testimony on Bills 170903 and 170898

Submitted by Colleen McCauley, Health Policy Director, Public Citizens for Children and Youth

Thank you for this opportunity to speak with you today. I am Colleen McCauley, the Health Policy Director at Public Citizens for Children and Youth, a child advocacy and policy organization working on behalf of children in southeast Pennsylvania.

I have been working on preventing childhood lead poisoning for the 16 years I've been at PCCY. And during that time I can tell you, and many people in the room already know, that the City has made very good progress reducing the number of children permanently injured by lead. However, with nearly 2,400 children under six poisoned in a year, we obviously still have a ways to go. Just consider that 2,400 poisoned children can fill 100 kindergarten classrooms in the City every year.

The demolition bills you are considering today are another important step towards protecting babies from being poisoned by lead. I commend City Council for taking the issue of lead poisoning so seriously – and I thank Chairperson Quinones-Sanchez, bill sponsors Councilmen Squilla, Jones and Johnson and all of the members of this committee for your leadership on this issue.

These demolition bills provide critical protections to workers on and residents living nearby demolition sites. There is evidence showing that children can be and are poisoned by lead in soil and dust in homes.

I believe the bills lack some critical specificity, however, regarding how to execute some of the protections outlined in the bills - to the extent that some of the intended protections may not be achieved.

There is newer research and best practices about mitigating air-borne and soil-based lead exposures related to demolition. In fact, two weeks ago PCCY sponsored a 'Philly Lead Summit' bringing together local and national experts and stakeholders with the goal of launching a new, broad coalition to advance the city's Lead Poisoning Prevention Advisory Group's recommendations – which included addressing suppression of lead hazards at demolition sites. Several Council members' staff participated – including Council members Domb, Reynolds Brown and Clark.

Dr. Dave Jacobs was a keynote speaker at our Summit, and he has conducted studies on lead hazards and demolition and helped other municipalities design protective policies. Dr. Jacobs is the Chief Scientist at the National Center for Healthy Housing in Washington DC. Below are the specific recommendations he suggests for strengthening the two demolition-related bills; we support these recommendations, and I ask this committee to integrate them into the bills. They are largely based on protocols designed by East Baltimore Development, Inc. (a copy of these protocols are attached).

In addition, I know that the University of Pennsylvania's Center of Excellence in Environmental Toxicology submitted specific suggestions to strengthen the bill – predominantly related to wetting protocols, and we strongly urge you to incorporate their recommendations as well.

I'd particularly like to underscore two recommendations: 1) That residents within a 400 foot radius from the demolition site receive notification two weeks prior to the start of work as well as education on how families can protect themselves. Research in Chicago and Detroit has shown that elevated levels of lead dust fall can extend 400 ft. directly adjacent to demolition sites. And 2) That independent testing of

building sites be done prior to and after demolitions to ensure safety protocols are followed and public health is maintained.

I'd be pleased to continue to be a resource to this committee on this issue. There is no reason why Philadelphia can't be the lead-safest city in the country. Thank you for your efforts to get us closer to this goal.

***Recommended Changes to Bill #s 170903 & 170898 are underlined below:**

Bill 170903

- *The fill shall be covered with a uniform layer of clean, inert, granular material 4 inches or more in depth AND SHALL NOT CONTAIN LEAD LEVELS ABOVE 80 PPM.*
- *Dust producing operations shall be wetted down to the extent necessary to control the dust USING TWO FIRE HOSES SUCH THAT ONE STREAM IS TRAINED ON THE POINT OF IMPACT AND THE OTHER TRAINED ON THE BUILDING.*
- *Chutes shall be designed and constructed of such strength as to eliminate failure due to impact of materials or debris loaded therein. (ADD A NEW SECTION TO PROVIDE FOR WET STREET AND SIDEWALK SWEEPING AT THE END OF EACH WORKING DAY).*
- *Demolition debris. Materials from demolition shall not be stored overnight on a sidewalk, street or surrounding lot, as may otherwise be permitted, unless placed in a LOCKED construction dumpster licensed pursuant to § 11-610 of the Philadelphia Code, or in a dump truck, debris transfer trailer or other motor vehicle licensed under the Pennsylvania Motor Vehicle Code. Loose material shall be removed upon completion of demolition activity at the end of each day, and the area of temporary storage WET WASHED AND swept clean AND ALL SIDEWALKS AND STREETS WITHIN A ONE BLOCK RADIUS SHALL BE WASHED USING WET METHODS.*

Bill 170898

- Site Safety Manager. A competent person employed by a licensed Demolition Contractor with *OSHA 30 training or an equivalent training program approved by the Department* AND A CERTIFIED RENOVATION REPAIR AND PAINTING TRAINING COURSE RECOGNIZED BY EPA in the past five years [in a course of training certified by the Department] to provide significant public safety benefit, appropriate to the position, [which may include OSHA 30 training,] whose primary responsibility is to ensure safe practices on demolition sites and compliance with the site safety plan AND TO ENSURE THAT DUST SUPPRESSION MEASURES AND CLEANUP ACTIVITIES ARE PROPERLY IMPLEMENTED.

- *(.1) all regulations issued by the Department of Public Health pursuant to Title 3, Air Management Code regarding the control of dust at demolition sites, including but not limited to: (.a) Dust control during demolition activity; INCLUDING BUT NOT LIMITED TO APPLICATION OF WATER FROM FIRE HOSES TO ENSURE THAT STRUCTURES ARE PROPERLY WETTED PRIOR TO AND DURING DEMOLITION ACTIVITIES. DUST CONTROL ACTIVITIES SHALL COMPLY WITH THE MINIMUM METHODS AND PROCEDURES DETAILED IN THE EAST BALTIMORE DEVELOPMENT INITIATIVE LEAD DUST DEMOLITION PROCEDURES.*