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City of Hartford, School Board File Suit Against Monsanto For PCB Cleanup



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City of Hartford Files Suit Against PCB Manufacturer

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HARTFORD — Facing a toxic cleanup project that can run into the millions of dollars, the city and school board filed a federal suit Friday against the former manufacturer of hazardous chemicals that have contaminated a North End neighborhood school.

City officials said they want Monsanto to pay the "full costs of removal and remediation" of the decades-old PCBs that were detected at Clark Elementary School late last year, including the expense of relocating Clark students and staff to other city schools.

Not only that, Hartford wants Monsanto to bear the cost of potential PCB testing in other city-owned properties, according to the suit. The city has estimated that Clark's federally monitored PCB cleanup, which is still in the early stages, could cost as much as \$4 million or more. The school has been closed indefinitely since early January.

"Our families and taxpayers should not have to bear the costs for this project," Mayor Pedro Segarra said in a statement Friday afternoon. "By shifting the costs to Monsanto, who is ultimately responsible for selling the PCBs, we are not burdening our taxpayers or families who have already had to deal with the inconvenience."

Article continues below ↓

The civil suit also names Solutia Inc. and the pharmaceutical Pharmacia, spinoffs of the original Monsanto company. The city said it has retained Baron & Budd, a Dallas-based firm that specializes in class-action suits and environmental cases that include PCBs in schools.

A Monsanto spokesperson said the company had not yet reviewed the complaint, but indicated it was not responsible for the cleanup.

The original Monsanto, a chemical giant and frequent target in contamination suits, has been cited in numerous cases around the country as the sole manufacturer of polychlorinated biphenyls in the United States from the 1930s to the late 1970s, when the U.S. banned production of the chemicals after discovering they were toxic.

By then, PCBs had been used in window caulk, sealants, insulating fluid in fluorescent lighting and other building materials that were common in school construction since the 1950s. District records indicate that Clark, which opened in 1971, is one of more than a dozen Hartford school buildings built between 1950 and 1979.

Monsanto, now an agricultural company based in St. Louis, has argued that it bears no responsibility for contamination costs because PCBs were manufactured legally at the time they were sold. It reiterated that stance in a statement Friday evening.

"... the PCBs sold by the former Monsanto Company almost 40 years ago were a useful, legal product," Monsanto stated. "They were used in a wide range of products including, primarily, electrical equipment, and also construction products and plastics. The EPA is currently addressing the issue of the potential for PCBs to be present in schools and has an ongoing research program."

The city contends in its suit that the old Monsanto knew of the toxicity as early as 1937.

"Damage and contamination of plaintiffs' property by PCBs are the results of Monsanto's reckless disregard for the safety of consumers and users of PCBs and PCB-containing products," the suit stated.

The EPA has identified PCBs as a probable carcinogen for humans and a risk factor for other serious health effects, and experts say the man-made chemicals might also act as developmental toxins that interfere with the normal development of cognitive function, such as learning and memory.

State public health officials have told Hartford parents that the airborne PCB traces at Clark do not pose a health risk.

School officials said PCBs were first detected in Clark's paint around winter break last year as workers prepared to install a fire sprinkler system. But after air quality tests revealed traces of PCBs at levels higher than the U.S. Environmental Protection Agency's recommended exposure for schoolchildren, Superintendent Beth Schiavino-Narvaez shut down Clark as more tests were ordered.

Environmental testing found widespread PCB contamination in the 104,000-square-foot school building, from the school's air handling system to the caulk, where PCB levels were up to 1,940 times the federal limit, triggering EPA intervention under the federal Toxic Substances Control Act. Even new ceiling tiles were tainted, an indication that PCB vapors had infiltrated the tiles.

The test results suggest that Clark faces a complicated, expensive remediation process that would involve special cleanup and disposal of what the EPA considers hazardous waste, and prolonged monitoring at the school after the PCBs are cleared.

By mid-year, Hartford had already spent more than \$53,000 on initial testing and consultant fees, according to the city's tally of expenses.

While Clark's contamination appears to be the most extensive PCB case in a Hartford public school to date, it is not the first time the chemicals have been discovered at a city school.

State environmental records show that Simpson-Waverly School, Global Communications Academy, M.D. Fox, Bellizzi, the former Barbour School and West Middle School needed some form of PCB remediation during renovation projects in recent years. Overall, the state Department of Energy and Environmental Protection has identified more than 100 school buildings in Connecticut that have reported PCB issues.

"Plaintiffs were not aware of potential harms related to PCBs at the time of renovations or constructions that used PCBs," Friday's suit stated.

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