Date: July 31, 2026

To: Aaron Fischer, Project Manager, New York State Department of Environmental Conservation

And: Daniel P. Tucholski, Public Health Specialist II, New York State Department of Health

Re: Gowanus Canal Area-Wide Soil Vapor Intrusion Mitigation, Site No. 224133A

Dear Mr. Fischer and Mr. Tucholski:

The Land Use Committee of the Gowanus Community Advisory Group (CAG) appreciates the work undertaken by the New York State Department of Environmental Conservation (DEC), the New York State Department of Health (DOH), the New York City Department of Education (DOE), the New York City School Construction Authority (SCA), the school administration, and the property representative to investigate and mitigate soil vapor intrusion at the P.S. 372 / Children's School Main and Annex buildings.

We reviewed DEC's February 5 and June 12, 2026 correspondence and supporting data. DEC reports that the Annex sub-slab depressurization system (SSDS) is operating as designed, that no appreciable additional soil-vapor source was identified, and that no additional active pathway was identified in the areas that could be tested. DEC also reports that volatile organic compound (VOC) concentrations in cellar indoor air remained above background after the SSDS was installed and modified, and that additional ventilation or positive-pressure mitigation is being developed.

The central issue is therefore straightforward: the existing system may be performing as designed, but the persistent cellar indoor-air pattern has not been fully explained and the additional mitigation has not yet been completed and verified. Before normal school-year operations resume, the CAG seeks clear answers and documented protections in five areas.

The CAG is separately seeking input from Principal Rosa Amato, Father Orlando Ruiz, and representatives of the school community. The requests below presently reflect the Land Use Committee's independent review of the available agency record and may be supplemented following that outreach.

Explain the continuing detections

Provide the original investigation and mitigation plan. Provide the written plan, scope, and schedule developed before the investigation and mitigation work began, including the design specifications, diagrams, areas of concern, anticipated system performance, expected results, and criteria that were to be used to evaluate whether the work was successful. Also identify and explain any material changes made to the original plan, design, or schedule during implementation.

Provide a clear source and pathway assessment. Explain the current understanding of why cellar VOC concentrations remain above background, identify all areas and pathways that were tested or could not be tested, and describe how the utility chases and other potential building pathways are being addressed.

Reconcile the available data. Provide a compound-by-compound comparison of cellar indoor air with sub-slab vapor, exterior soil vapor, outdoor air, and relevant nearby-site data, including the technical basis for concluding that the exterior detections do not constitute an appreciable source.

For clarity, the June 12 reference to an "unknown above ground source" concerns water in the utility pit; this letter does not interpret that phrase as DEC's conclusion regarding the source of the cellar VOCs.

Complete and verify the additional mitigation

Publish the selected plan and schedule. Identify the selected HVAC, heat-recovery ventilation, or other mitigation approach; explain why it was selected; and provide the schedule for installation, startup, commissioning, and verification.

Set measurable acceptance criteria. Before commissioning, establish the required SSDS pressure-field coverage, cellar pressure, air exchange, system uptime, and indoor-air performance, together with the conditions that would trigger corrective action, additional investigation, restricted use, or temporary closure.

Demonstrating adequate sub-slab vacuum is not, by itself, equivalent to demonstrating that the Annex indoor environment has been adequately controlled. Final acceptance should consider both engineering-system operation and measured indoor-air conditions under representative building operations.

Use a monitoring plan that accounts for variability

Recent technical presentations at EPA's 2026 *State of VI Science Workshop 04*, held as part of the AEHS West conference, described indoor vapor concentrations as potentially variable, episodic, and influenced by HVAC operation, building pressure, season, weather, and preferential pathways.[1] The presenters also cautioned that a limited number of randomly timed or calendar-scheduled samples may produce false-negative or otherwise unrepresentative results.

Design and justify a representative monitoring program. Explain how the selected sampling frequency, duration, locations, and timing will address episodic peaks and longer-term exposure. Include testing under representative cooling- and heating-season conditions together with contemporaneous documentation of HVAC operation, building pressure, weather, occupancy, and possible indoor or outdoor sources.

Continuously track system performance. During verification periods, log SSDS vacuum, HVAC status, cellar-to-adjacent-space pressure, temperature, and other relevant operating indicators. Consider technically appropriate indicators or validated tracers when selecting sampling periods likely to capture upper-end conditions.

The CAG is not prescribing continuous VOC monitoring without regard to technical or practical feasibility. Rather, we are asking DEC and DOH to design and justify a monitoring program capable of evaluating a variable indoor environment rather than relying solely on a small number of convenience-timed samples.

[1] U.S. Environmental Protection Agency, *2026 State of VI Science Workshop 04: Vapor Intrusion Assessment, Health Impacts, Mitigation and Simulation*, AEHS West Conference, March 2026. Presentation materials and recordings are archived by RTI International through the Indoor Air Vapor Intrusion website.

Provide a health and occupancy determination

DEC reports that the indoor-air samples discussed in the June 12 letter did not exceed the listed NYSDOH Air Guideline Values. At the same time, the agencies are pursuing additional mitigation because cellar VOC concentrations “persisted above background”.

Issue a plain-language DOH health interpretation. Identify the VOCs and conditions driving additional mitigation; explain how repeated detections, mixtures, short-term peaks, longer-term exposure, and the vulnerability of young children were considered; and explain why additional mitigation is warranted despite the absence of reported guideline exceedances. Please identify any detected contaminants with particular early-life health concerns, explain how the risk profile for the student population differs from that of the general public, identify the child-specific risk-assessment methods and exposure assumptions applied, and state whether the concentrations measured above background present an acceptable risk for the students currently using the Annex cellar and connected spaces.

Issue a joint DOH/DOE occupancy determination. Before routine use of the cellar or directly connected lower-level spaces continues or resumes, identify which spaces may be occupied, any interim restrictions or controls, the evidence supporting the determination, the conditions that would require restricted use or temporary closure, and how this information will be communicated to school staff, teachers, paraprofessionals, and students’ families.

Establish accountability and public communication

Publish an operation and maintenance plan. Identify who is responsible for each mitigation system; the required inspections and operating ranges; alarms and remote notification; failure-response procedures; interim occupancy measures following a failure; and long-term indoor-air verification.

Maintain a public record. Provide timely access to the mitigation design, commissioning and monitoring results, health and occupancy determinations, and significant maintenance or system-failure information, accompanied by plain-language summaries for school staff, teachers, paraprofessionals, and students’ families.

Response requested

Given the planned summer 2026 work and the anticipated return to regular school operations, the Land Use Committee requests a written response within 15 business days after receipt of this CAG-approved letter. We also request a meeting with DEC, DOH, DOE, SCA, the school administration, and the property representative to discuss the selected mitigation, commissioning results, occupancy determination, and outstanding information before normal school-year operations resume.

The detailed technical information requested by the committee is listed in Attachment A. Thank you for your continued attention to this matter and for the information provided to date.

Sincerely,

Land Use Committee
Gowanus Community Advisory Group
- Please acknowledge receipt of this letter and forward any responses to:
Steve Marcus - Moderator of the CAG’s Land Use Committee @ stevemarcus7@gmail.com
Thank you

ATTACHMENT A

Detailed Technical Information Requested

Source and pathways

- A map of utility chases, wall penetrations, drains, sumps, sewer or utility corridors, floor and wall seams, window-well interfaces, and other potential preferential pathways.
- Identification of areas tested, not tested, or inaccessible during the helium tracer and other pathway evaluations, with the method and result for each.
- The status and verification of sealing, pressure control, or other corrective work for identified chases and penetrations.
- A compound-by-compound comparison of indoor air with sub-slab, exterior soil-vapor, outdoor-air, and relevant nearby-site data.

SSDS and HVAC performance

- SSDS design and as-built drawings, suction and monitoring-point locations, and post-modification vacuum and pressure-field results.
- The criteria used to define adequate pressure-field coverage and the areas that could not be fully evaluated.
- The HVAC on/off sampling plan, locations, system status, airflow and pressure data, and complete analytical results.
- An explanation of whether “redistributing contaminants” includes movement to upper floors or other occupied spaces.
- The selected mitigation design, alternative analysis, schedule, commissioning protocol, and acceptance criteria.

Monitoring, health, and occupancy

- A monitoring plan addressing seasonal and temporal variability, sampling duration and frequency, operating conditions, outdoor-air comparisons, and short- and long-term exposure.
- DOH’s written health interpretation, including the contaminants and conditions driving mitigation and the consideration of children’s vulnerability.
- Any interim or final DOH/DOE occupancy recommendations for the cellar and connected spaces.
- The results and plain-language summaries of future post-mitigation testing.

Operation, maintenance, and communication

- The responsible entity, inspection schedule, operating ranges, alarms, remote notification, failure response, records, and long-term verification for each system.
- The procedure for notifying families, staff, teachers, paraprofessionals, the school administration, and the CAG of significant findings, mitigation changes, system failures, or occupancy restrictions.
- A centralized public repository for the relevant engineering, sampling, health, occupancy, and maintenance records.

Technical sources reviewed

NYSDEC letters dated February 5 and June 12, 2026, with analytical attachments; Henry Schuver, “Big Picture Perspective on Vapor Intrusion into Human Built Environments,” March 17, 2026 (the presentation states that the author’s opinions do not represent EPA policy); Andrew Kondash, “Distribution Shapes and Sampling Performance,” March 2026; Chris Lutes, “State of Soil Gas Science,” March 2026; and Chris Lutes and Kelly Johnson, “VI Mitigation During Construction or Major Building Rehabilitation,” March 2026.