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EPA Takes Action to Protect Public from Harmful Lead Exposure

WASHINGTON – The U.S. Environmental Protection Agency (EPA) today announced 62 enforcement actions that require renovation contractors and training providers to protect people from harmful exposure to lead dust and debris, as required by EPA’s Lead-based Paint Renovation, Repair, and Painting (RRP) standards.

The enforcement actions include 55 settlements and six complaints issued between February and October 2014 for renovations performed on pre-1978 homes and child-care facilities. All of the settlements require that the alleged violators certify their compliance with RRP standards and, in most cases, pay civil penalties. In two of the settlements, the violators agreed to fund voluntary lead abatement supplemental environmental projects, which require the removal of lead-based paint and post-construction testing to ensure that no hazardous conditions remain. The settlements led to \$213,171 in civil penalties and the violators coming into compliance with federal law. These recent actions are in addition to EPA’s settlement with Lowe’s Home Improvement in April 2014, which included a \$500,000 civil penalty as well as implementation of a corporate-wide RRP compliance program.

"Children are most vulnerable to the dangers of lead paint exposure, especially those in predominantly minority and low-income communities, where housing is more likely to contain lead-based paint," said Cynthia Giles, assistant administrator for EPA’s Office of Enforcement and Compliance Assurance. "These cases to enforce the RRP rule are vitally important to improving compliance among companies that handle lead-based paint. This leads to safer communities, healthier children and a level playing field for companies that follow the law."

Lead dust and debris from improper renovation activities on properties built prior to 1978 is a major source of lead exposure that can cause lead poisoning. Although using lead-based paint in dwellings was prohibited after 1978, it is still present in more than 30 million homes across the nation, in all types of communities. The RRP Rule provides important protections for children and others vulnerable to lead exposure. Even low levels of lead in the blood of children can result in behavior and learning problems, lower IQ and hyperactivity, slowed growth, hearing problems and anemia. In rare cases, ingestion of lead can cause seizures, coma and even death.

The RRP Rule, which is part of the federal Toxic Substances Control Act, is intended to ensure that owners and occupants of pre-1978 "target housing" and "child-occupied facilities" receive information on lead-based paint hazards before renovations begin, that individuals performing such renovations are properly trained and certified, and that renovators and workers follow specific lead-safe work practices during renovations to reduce the potential for exposure to lead.

The penalties in the settlements address the cited violations. Enforcement penalties also help deter violations by others in the regulated industry, and level the playing field for complying

companies, since the fines help eliminate the financial advantage a violator may derive from non-compliance which, otherwise, would allow the violator to underbid its complying competitors.

Contractors that are certified under EPA's RRP standards are encouraged to display EPA's "Lead-Safe" logo on worker's uniforms, signs, websites, and other material, as appropriate. Consumers can protect themselves by looking for the logo before hiring a home contractor, and by being generally aware of whether a renovator is following lead-safe work practices when working on their property. Those practices, such as what a renovator must do to minimize lead dust dispersion, are outlined in EPA's *Renovate Right* lead hazard information pamphlet, available at <http://www2.epa.gov/sites/production/files/documents/renovaterightbrochure.pdf>

Renovators are required to give the pamphlet to property owners and occupants within 60 days before starting any renovation.

Between mid-February and September 30, 2014, EPA settled enforcement actions with, or issued complaints against, the companies below. In the following settlements, the companies paid civil penalties in excess of \$10,000, respectively:

Student Works Painting, Inc. d.b.a. College Works Painting (CA) paid a \$39,532 fine for violating work practice and recordkeeping requirements.

Manhattan Construction Co. and Ark Wrecking Co. (OK) paid a \$24,038 penalty for violating requirements for certification, information distribution, ensuring personnel were certified or properly trained, and ensuring that a certified renovator was assigned and performed required tasks.

Z&B Holdings, LLC d/b/a Berry Door & Window (MO) paid a \$23,300 fine for failing to comply with information distribution and recordkeeping requirements, and failing to assign a certified renovator.

Goldman Enterprises Inc., d/b/a Paul Davis Restoration of Kansas City (MO) paid a \$16,710 penalty for failure to comply with work practice standards.

Groen Builders, Inc. (NH) paid a \$14,950 penalty for violating certification and information distribution requirements, failing to ensure personnel were properly certified or trained, failing to assign a certified renovator, and failing to comply with work practice standards.

Tilt-In Window and Siding Co. / NJ Window & Siding Co. (NJ) paid a fine of \$12,504 for failure to comply with certification, information distribution, work practice, and recordkeeping requirements.

EPA entered into expedited settlement agreements with the 22 companies below. These agreements allow violators to quickly resolve certain minor lead-based paint offenses (not including work practice violations) with a reduced penalty, typically \$2,000 or less.

Tim Jones New Look Remodeling Co. (CT)
Construction Education Foundation of Minnesota (MN)
Holman Brothers Painting (OH)
Think People, Inc. (IL)
Gunton Corporation (OH)
Builders License Training Institute (MI)
Midwest Training Services LLC (MI)
Kaplan AEC Education (WI)
Vinyl Sash of Flint, Inc. (MI)
Wonder Makers Environmental (MI)
ETC Training Services Group (MI)
Greentree Environmental Services Inc. (IN)
AB Builders (CA)
A&D Construction (CA)
CF Contracting (CA)
Cogent Construction and Consulting (CA)
EF Brett (CA)
Nema Construction (CA)
Regency Construction (CA)
Southland Management (CA)
Welliver Construction (CA)
Dakota Remodeling LLC (OR)

In the following 27 settlements, the companies paid fines less than \$10,000, generally because the penalty was reduced for an inability to pay. Every case obtains compliance with RRP standards.

CDL Commercial, LLC (CT)
East Coast Pros (CT)
Gerard Therrien (NH)
Alstar Construction, Inc. (NJ)
AZ Water Man Corp. (NY)
JC Painter (NY)
Raymond Demers (NY)
APM Vocational Institute (VA)(Settlement)
Moyer Holdings Corp.,T/A Window World of Lehigh Valley (PA)
Santos D. Flores Svc. Inc. (MD)
Windows R Us, LLC (PA)
Clear Choice Windows & Sliding, Inc. (IL)
Jim Knibbs Building & Remodeling, Inc. (MI)
Michiana Window World, Inc. (IN)
Richmond's Complete Home Improvement (ID)

ACE Service Team, LLC (MO)
Brackmann Construction Inc. (MO)
Douglas Thoman Construction (NE)
First Choice Builders LLC d/b/a Intext Builders (NE)
Jaime Diosdado (MO)
JDC Construction & Remodeling LLC (MO)
Kansas City Home Doctor, Inc. (MO)
MCB, LLC (NE)(Settlement)
Mesa Enterprises, LLC (MO)
M&L Construction Co., Inc. (MO)
Aesthetica Painting & Contracting, LLC (CO)
Vanguard Construction Companies, Ltd. (CO)

EPA issued Complaints against the following six companies:

John Fogg Jr. Enterprises, LLC (CT)
Waterway Realty LLC (NH)
Creative Home Builders (MO)
Dynamic Construction and Roofing, LLC (FL)
Matthew Andersen d/b/a Andersen Painting (NE)
Zane Inc. d/b/a ServPro of Fremont/ NW Omaha, Inc. (NE)

More information about these actions is available at [http://www2.epa.gov/enforcement/lead-
renovation-repair-and-painting-rule-december-2014](http://www2.epa.gov/enforcement/lead-
renovation-repair-and-painting-rule-december-2014)

More information about the RRP Rule and how contractors can get certified is available at www.epa.gov/lead.