

# Companies Face Fines for Lead Paint Disclosure Violations at Two Navy Bases in New England

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(Boston, Mass. – Jan. 10, 2012) – Two companies face significant penalties for violating federal lead paint disclosure laws at the Portsmouth Naval Shipyard in Kittery, Maine and the Naval Submarine Base New London in Groton, Conn.

A complaint filed by the U.S. Environmental Protection Agency asserts that Northeast Housing, LLC, and Balfour Beatty Military Housing Management, LLC failed on multiple occasions over several years to notify prospective tenants, including families with young children, about potential lead paint hazards in housing managed by the companies on the two Navy bases in New England. Notifying prospective tenants and purchasers of housing units helps parents protect young children from exposure to lead-based paint hazards.

The companies face a possible fine of \$153,070 for alleged violations of the Lead Based Paint Disclosure Rule. EPA's complaint asserts that the two companies failed to comply with the Disclosure Rule when they entered into 13 contracts to lease target housing for military personnel during the years 2007, 2008, 2009 and 2010 at the Portsmouth Naval Shipyard and the U.S. Naval Submarine Base.

The housing at both bases is owned by Northeast, a joint venture limited liability company between the Department of the Navy and a wholly-owned subsidiary of Balfour Beatty Communities, LLC, of which the BBC affiliate is the managing member. There are approximately 25 target housing units located at Portsmouth Naval Shipyard, where housing was built in the 1800s and early 1900s. There are approximately 735 target housing units at the Naval Submarine Base in Groton, which was built in the early 1960s.

"Exposure to lead paint is a serious public health concern here in New England because of how much older housing we have. Further, military families make significant sacrifices to protect our Nation, and the health of those families, as well as all families, should not be jeopardized by not being notified of potential lead hazards in the housing where they reside," said Curt Spalding, regional administrator of EPA's New England office. "Property managers and owners play an important part in helping to prevent lead poisoning by following lead paint disclosure requirements and making sure families are aware of potential lead hazards in homes."

The EPA complaint details that the companies failed to provide available records and reports regarding lead-based paint and/or lead-based paint hazards to 13 lessees (10 lessees at Portsmouth and three lessees at the Conn. base). Nine of the lessees were families with children, including seven families with children under the age of six.

Infants and young children are especially vulnerable to lead paint exposure, which can cause intelligence quotient deficiencies; reading and learning disabilities; impaired hearing; reduced attention span, hyperactivity and behavior problems. Adults with high lead levels can suffer difficulties during pregnancy, high blood pressure, nerve disorders, memory problems and muscle and joint pain.

The purpose of the Lead Disclosure Rule is to provide residential renters and purchasers of pre-1978 housing with enough information about lead-based paint in general and known lead-based paint hazards in specific housing, so that they can make informed decisions about whether to lease or purchase the housing.

Federal law requires sellers and landlords selling or renting housing built before 1978 to:

- Provide a lead hazard information pamphlet to inform renters and buyers about the dangers associated with lead paint;

- Include lead notification language in sales and rental forms;
- Disclose any known lead-based paint and lead-based paint hazards in the living unit and property and provide copies of all available reports to buyers or renters;
- Allow a lead inspection or risk assessment by home buyers; and
- Maintain records certifying compliance with federal laws for a period of three years.

More information:

- Lead paint health hazards (<http://epa.gov/lead/>)
- EPA enforcement of lead-based paint disclosure rule in New England ([epa.gov/ne/enforcement/leadpaint/index.html](http://epa.gov/ne/enforcement/leadpaint/index.html))

<http://yosemite.epa.gov/opa/admpress.nsf/6d651d23f5a91b768525735900400c28/f9d0a008bace76eb852579810061d27d!OpenDocument>