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## EPA Whistleblower Prompts Fixes to Address Faulty Lead Paint Inspections that Put Public at Risk

### FOR IMMEDIATE RELEASE

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WASHINGTON, D.C./June 14, 2018 – The U.S. Office of Special Counsel (OSC) today sent [letters](#) to the President and Congress after an investigation revealed that Environmental Protection Agency (EPA) Region 4 sent unqualified individuals to inspect renovation sites for lead paint and failed to properly document the inspections. In response, EPA has instituted a number of changes to address these issues, including new accountability measures and a commitment to ensure inspectors nationwide understand the importance of checking during an inspection for children and pregnant women, who are most vulnerable to lead poisoning. EPA Region 4 covers Kentucky, Tennessee, North Carolina, South Carolina, Alabama, Georgia, Florida, and Mississippi.

After a whistleblower [reported](#) these allegations, OSC referred the matter to the agency for investigation. The investigation by EPA's Office of Inspector General (OIG) largely [substantiated](#) the whistleblower's allegations, concluding that:

- None of the individuals conducting lead-based paint inspections in EPA Region 4 from mid-2013 to late-2014 met training or credentialing requirements, and so should not have been conducting inspections.
- Twenty-five percent of EPA Region 4's lead-based paint inspection files reviewed for Fiscal Years (FY) 2012 through 2017 lacked documentary evidence required to show whether renovators had taken mandatory steps to protect the public from lead-based paint hazards during renovations.
- Less than 2 percent of those inspection files reviewed revealed whether children occupied the premises at the time of renovation.

"When an agency fails in its obligation to protect the public, it only underscores the important role of whistleblowers to reveal wrongdoing," said **Special Counsel Henry J. Kerner**. "It was inexcusable for EPA to put the public at risk of lead paint exposure by sending unqualified inspectors. I am pleased to see EPA has taken positive steps to remedy these problems and to regain the public's trust."

Following the OIG's investigation, EPA reported to OSC its commitment to creating more robust monitoring requirements at the regional level. EPA asserted that all Region 4 inspectors now have current training and credentials. EPA also reported that it has updated the procedures for its lead program, and is requiring branches with enforcement functions, including Region 4, to submit their procedures for review.

The Chemical Safety and Enforcement Branch, which houses the lead-based paint inspection program, also now requires a lead enforcement coordinator and supervisor to review and approve all files "to ensure that all data is accurate, including the proper characterization of the field activity." In addition, EPA has hired a contractor to assist with records management and is requiring quarterly branch chief reviews of file maintenance systems beginning in FY 2018.

EPA has also clarified the steps it will take to ensure that inspectors check for pregnant women and children who occupy renovation sites. EPA Region 4 has also added a specific line item to inspectors' documentation checklists verifying whether inspectors have checked for occupants at renovation sites who are pregnant women and children.

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*The U.S. Office of Special Counsel (OSC) is an independent federal investigative and prosecutorial agency. Our basic authorities come from four federal statutes: The Civil Service Reform Act, the Whistleblower Protection Act, the Hatch Act, and the Uniformed Services Employment & Reemployment Rights Act (USERRA). OSC's primary mission is to safeguard the merit system by protecting federal employees and applicants from prohibited personnel practices, especially reprisal for whistleblowing, and to serve as a safe channel for allegations of wrongdoing. For more information, please visit our website at [www.osc.gov](http://www.osc.gov).*