EPA News Highlights: 8.16.18

E&E News: Judge revives WOTUS in 26 states

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CNN: 'What did we do?' Families anxious about chemicals found in tap water

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Washington Examiner: With a quarter million comments in, EPA set to move on contentious 'secret science' rule

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E&E News: EPA wanted its logo removed from the controversial rollback

EPA is the harsh teacher, and the Transportation Department is the struggling student. That's the dynamic at play in regulatory comments submitted this week on the Trump administration's proposal to weaken Obama-era clean car rules. In dozens of instances throughout the document, EPA career staffers criticize DOT political appointees for making faulty assumptions in order to justify the rollback. Chief among their concerns is that freezing the car rules could mean more deaths from vehicle crashes — not fewer, as DOT claims.

Politico: The key to Trump's climate reversal? New math

The Trump administration's attempt to reverse Barack Obama's most sweeping climate regulation rests on a legally risky strategy — redoing the calculations of how much the rule would cost and who would benefit. The EPA's proposed replacement is expected to downplay the money that people and businesses would save from using less electricity, a key feature of the Obama-era greenhouse rule for power plants. People tracking the issue also expect that the agency will count only a fraction of the improvements in public health from reduced smog and soot pollution, and won't consider any benefits from slowing climate change outside the U.S.

E&E News: Lead concerns drive record demand for EPA loans

Demand for EPA's low-interest loans for water infrastructure improvements has hit a record high, the agency said. EPA received 61 letters of interest from municipalities requesting $9.1 billion in loans from the Water Infrastructure Finance and Innovation Act program. The request is nearly double the agency's lending capacity for 2018, which Office of Water head David Ross said demonstrates "the critical need for investment in our nation's water infrastructure and strong support for EPA's Water Infrastructure Finance and Innovation Act program."

National News Highlights: 8.16.18

The New York Times: Special Report: Children Poisoned by Lead on U.S. Army Bases as Hazards Ignored

FORT BENNING, Georgia — Army Colonel J. Cale Brown put his life on the line in two tours of duty in Afghanistan, earning a pair of Bronze Stars for his service. In between those deployments, Brown received orders to report to Fort Benning, the sprawling Georgia base that proudly describes itself as the century-old home of the U.S. infantry. He was pleased. His wife, Darlena, was pregnant with their second child, and the Browns owned a home in the area. Their 10-

month-old son, John Cale Jr, was a precocious baby, babbling a dozen words and exploring solid foods. Cale's duties as a battalion commander required him to live on base. So instead of moving into their own house, in 2011 the Browns rented a place inside Fort Benning. The 80-year-old white stucco home had hosted generations of officers.

The Washington Post: Numerous children have been poisoned by lead in homes approved by D.C. housing inspectors
She was giving Alonzo, then 3, a bath in a tub that her landlord had just painted to pass a housing inspection. She turned to find a washcloth, and when she swiveled back, she found the boy with bits of peeling paint in his mouth. She tried get it out, but it was too late. The lead tests came back positive: Alonzo had more than double what the government defines as "elevated," and he hasn't been the same since. Between March 2013 and March 2018, at least 41 families discovered that their homes, subsidized by a housing voucher and approved by city inspectors, contained lead contaminants, according to a tabulation requested by The Washington Post through the Freedom of Information Act.

E&E News

https://www.eenews.net/greenwire/stories/1060094313

Judge revives WOTUS in 26 states

Ariel Wittenberg, 8/16/18

A federal judge in South Carolina has issued a nationwide injunction on the Trump administration's delay of the Clean Water Rule.

The decision in the U.S. District Court for the District of South Carolina means the Clean Water Rule is now the law of the land in 26 states where district court judges have not stayed the regulation.

The Trump administration finalized its delay of the Clean Water Rule, also known as Waters of the U.S., or WOTUS, rule in February. The regulation redefined which wetlands and small waterways are covered by the Clean Water Act.

Green groups, including the Southern Environmental Law Center, and states immediately sued the administration, arguing it rushed through the rulemaking.

Ruling in the SELC's case, Judge David Norton found that the Trump administration violated the Administrative Procedure Act in proposing and finalizing the rule.

CNN

https://www.cnn.com/2018/08/16/health/tap-water-crisis-toxic-michigan-pfoa-pfas/index.html

'What did we do?' Families anxious about chemicals found in tap water

By Nadia Kounang, 8/16/18

It's been about three weeks since Tammy Cooper last drank water from her tap. That's when she saw a warning on Facebook for residents of her small Western Michigan town to stop drinking the water.

In Michigan, water main breaks aren't unusual, although they're more common in winter. It didn't immediately strike Cooper as out of the ordinary to not be able to drink the water.

But the Facebook message made no mention of the run-of-the-mill breaks or chloroform warnings; rather, the city's July 26 post said, "We have just been informed this afternoon by the [Michigan Department of Environmental Quality] that the PFAS level in a City well is 1400 ppt. The limit being 70 ppt."

It advised using bottled water for cooking, drinking and making baby formula.

"I immediately felt really sick," Cooper said.

PFAS, or per- and polyfluoroalkyl substances, are a family of more than 4,000 synthetic chemicals that degrade very slowly, if at all, in the environment. Some of the best-known chemicals are PFOS, PFOA and GenX.

It's not the first time Michigan has dealt with toxic tap water; the legacy of Flint is not far behind. But unlike in the Flint lead crisis, it's unknown how long the water in Parchment has been contaminated with PFAS.

Now, all Cooper could see were toxins all over her house, poisoning her nearly 3-year-old daughter, Jillian, who has lived in Parchment most of her life.

"You look around and you have sippy cups around," she said. Every cup of water -- in fact, anything using the water -- became suspect.

A persistent problem

The chemicals have been used for decades on military bases and in industrial areas in the manufacturing of thousands of consumer items including food packaging materials, water-resistant fabrics, nonstick cooking pans and firefighting foams.

"They're extremely strong, and they are extremely persistent, and that's what makes them so good for nonstick, waterproof and stain-repellant products," said Tom Bruton, a scientist with the Green Science Policy Institute in Berkeley, California.

The chemicals are no longer manufactured in the United States. In 2002, 3M, the primary US manufacturer of PFOS, voluntarily phased out production of the chemical. In 2006, eight major companies in the PFAS industry agreed to stop production of PFOA and PFOA-related chemicals by 2015.

But they can still be found all around us, including in the water.

"I think that people should be concerned about the amount of PFOA and PFOS that is in our environment," Susan M. Pinney, a professor in the Department of Environmental Health at the University of Cincinnati, wrote in an email.

"These are chemicals with long half-lives," meaning they can persist in the environment as well as the body.

According to the federal Agency for Toxic Substances and Disease Registry, they can stay in the body two to nine years. "Exposure in utero may have the greatest effect on developing children ... and effects may last into adulthood," Pinney said, adding that the research is early and so is not definitive.

According to the US Environmental Protection Agency, PFAS exposure has been linked to low birth weight, immunological disorders, cancer and thyroid hormone disruption.

And that is what exactly worries Cooper. She can't help but wonder whether the more than two years her family has lived in Parchment have been the root of their health issues.

"You just start thinking, 'well, we were sick a lot,' " she said.

Is it the water? Could it be breast milk?

Cooper and her husband David prioritize healthy living: They buy organic food; they wash their hands often; they diligently use laundry detergent "free and clear" of unnecessary chemicals; she breastfed her daughter for nearly 3 years. So could there be a connection to the water? After all, her thyroid hormone levels went down after her pregnancy. "It causes all these questions," she said.

Her biggest concern is Jillian. She was small, measuring in the 10th percentile for weight when they moved to Parchment when she was 6 months old. A year later, she had dropped below the 1st percentile in weight. After Cooper focused on feeding her a higher-fat and -protein diet, Jillian's weight is now in the 4th percentile.

"Is it the water?" Cooper wonders. Could it have been her breast milk? "She's nursed the entire duration that we've lived here. Everything that I've read, if you're nursing a child, you're passing it on to them."

PFOS and PFOA are found in blood and at lower levels in breast milk and umbilical cord blood, according to the Centers for Disease Control and Prevention's National Center for Environmental Health.

Cooper reached out to Jillian's pediatrician immediately after she read the Facebook announcement. Her doctor is concerned there could be a connection between the water and Jillian's growth, but there is little to nothing they can do about it now.

Since the city's announcement, Cooper decided to wean her daughter off breastfeeding. "I didn't want it to end this way. The last thing I want to remember is this special thing to be terminated because of this thing in the water," she said.

"Maybe I don't have any health issues from the water, but there's a major cost to your mental health, because you're in charge of this little person, and you feel like you're failing."

It's an anxiety that has occupied many other parents in the area, like Sara Dean.

Dean and her husband settled in Parchment three years ago after searching for a place to raise their children. They worried that their hometown of Chicago was too busy and potentially too violent of a place to raise a family. Parchment was beautiful. Neighbors spoke to on another. It seemed like a great place to start a family.

"We moved to a state associated with healthy living, pure water -- all the things with the Pure Michigan campaign -- and now we're like, what did we do? Would we have been better off starting a family in Chicago? At least the water is safe. There is a lot of questioning if we made the right decision three years ago."

A national problem

What's happening in Parchment isn't unique. The state of Michigan has confirmed at least 34 sites that have been contaminated with the chemicals. The state has been testing potential sites across Michigan since 2017.

On July 29, Michigan declared a state of emergency over Parchment's water. Although a specific source of the PFAS contamination has not been identified, the state Department of Environmental Quality has tested an area where PFAS might have been used. The state is also testing private residential tests to understand how far the contamination has spread.

The Environmental Working Group and Northwestern University have mapped 94 sites across the country affected by PFAS. The US Department of Defense has listed 36 contaminated military installations.

The EPA has called PFAS a national priority.

The contaminant became a political lightning rod this year when internal White House emails revealed that the Trump administration tried to withhold a US Department of Health and Human Services report on the chemicals' health risks because it could be a "potential public relations nightmare." The report, which was eventually released in June, found that the current EPA-recommended level was seven to 10 times higher than it should be.

In May, the agency held a national leadership summit on PFAS but blocked several media outlets, including CNN, from attending.

This summer, the EPA hosted "community engagement" events in Exeter, New Hampshire; Horsham, Pennsylvania; Colorado Springs, Colorado; and Fayetteville, North Carolina -- all communities affected by contaminated water.

At the event this week in Fayetteville, the agency addressed residents who have found elevated levels of the chemical GenX, a second-generation PFAS, in private drinking water wells.

John Pate, a resident of the area, told CNN affiliate WRAL that it's not just the immediate impact he's concerned about. "We could be still looking at, 20 years down the road, people coming up with things. We don't know," Pate said.

Bruton, of the Green Science Policy Institute, expects the number of affected communities to continue to grow. "The more we monitor water supplies, the more widespread we find these chemicals to be," he said.

Dean can't help but wonder what the impact of Parchment's water has been on her 2-year-old boy and the child with which she is 30 weeks pregnant. Like Jillian, Dean's son, Patrick, is on the smaller side, and her baby is measuring smaller in the womb.

"Do I make small babies," Dean questions, "or do I make small babies because I drink poisoned water?"

Within hours of hearing the news of the elevated levels, the city of Parchment quickly set up a bottled water distribution system. City officials are currently working to connect residents to the nearby Kalamazoo water system.

According to the CDC's National Center for Environmental Health, the major pathway for PFAS exposure is ingestion. Aside from contaminated drinking water, PFAS can be found around the house, Bruton said. It's in the dust from stain-treated carpets and upholstery, in some packaged foods and in foods cooked in nonstick pans.

Parchment's water advisory says it's safe to use the water for cleaning and washing purposes. Bathing is also fine because absorption of PFAS through the skin is slow and insignificant.

But when Dean takes a dish out of the dishwasher, she will run bottled water over it "for peace of mind."
Dean and her husband have also installed a reverse-osmosis water filter in their home. Reverse osmosis filters certified by NSF International can reduce PFAS levels to below levels set by the EPA.

It's something Don Rome is also considering. It's well worth the cost to protect his wife, their 13-year-old daughter and 17-year-old son, and their pets, he said.

"I'm not sure I'll be going back to drinking directly from the tap without filters. So there is some uncertainty there. It's all a new frontier," Rome said.

And when Rome swims in their pool or takes a shower, there's always some thought about it in the back of his mind. "You don't intend to drink the water, but it gets in your mouth. ... Things happen."

Rome has a lot of confidence in the city. He feels that officials have done a good job of communicating actions taken to keep residents safe, including the efforts to connect to the Kalamazoo system.

But there is no question in Rome's mind that the water has impacted all parts of the city.

Rome tracks real estate in Parchment in his job. He noticed the pace of home sales has slowed since the PFAS announcement.

"There has been a slowdown in interest and foot traffic," he said.

For Cooper, the impact of the PFAS contamination has been significant. Her house is being used as one of the city's testing sites. It has created a sense of distrust that wasn't there before.

"You backtrack on everything that you ever believed in, everything about your safety," she said.
"If you can't trust the government about water, what can you trust them about?"

Washington Examiner

https://www.washingtonexaminer.com/policy/energy/with-a-quarter-million-comments-in-epa-set-to-move-on-contentious-secret-science-rule

With a quarter million comments in, EPA set to move on contentious 'secret science' rule

By John Siciliano, 8/16/18

The Environmental Protection Agency is set to take a big step forward Thursday toward implementing a contentious "secret science" rule, a move that critics fear will undermine the scientific process in favor of cherry-picking research that supports specific outcomes.

The "Strengthening Transparency in Regulatory Science" rulemaking, as it is formally titled, would require EPA's scientific studies to be independently verified through a peer-reviewed process outside the agency. It wouldn't address any one issue or regulation, but rather would undergird the science behind much of what the agency does.

The rule would help the industry contain the cost of new regulation by giving them the ability to question the basis of new pollution standards, especially if the "public is likely to bear the cost of compliance" with those regulations, according to the EPA.

The deadline to receive input from the public on the rule closes at midnight, and already it has garnered nearly a quarter of a million comments.

The comment deadline was extended from May 30 to Aug. 16 due to increased interest in the rulemaking and the potential significant harm that critics say it will pose to the scientific integrity of the EPA.

The Natural Resources Defense Council, in its formal request to extend the comment period, said environmental groups' meetings to discuss the rule at the White House were canceled, while industry groups were given unabated access in the rule's early development stages.

"The exclusion of environmental groups from these preliminary discussions is cause for significant concern," wrote John Walke, the environmental group's clean air director. "In light of this imbalance, EPA should extend the comment deadline to ensure that the public is fairly represented in the rulemaking process."

However, tens of thousands of the comments arriving in the EPA's inbox are from private citizens, not major trade associations or environmental groups, arguing both for and against the regulation.

Most of the comments are not substantive and read more like tweets than formal comments on policy. "[C]ut the crap epa – showyourwork — no secrets!" reads one comment from a private citizen.

Climate change skeptics say the rule is critical to reining in the agency under the administration's broader deregulation agenda.

"Given the Environmental Protection Agency's constrained mission, flawed paradigm, political pressures to chase the impossible goal of zero risk, and evidence of actual corruption, we can have no confidence in any science it produces in justification of its regulations," the Heartland Institute said in its comments. The group argued that new guardrails for EPA science are necessary because of the agency's lack of transparency and integrity and its "culture of disrespect for the scientific method and independent peer review."

Other comments raised more practical, economic concerns for increasing scientific oversight at the agency.

The Sacramento-based construction company Delta submitted comments that detailed how the company was forced to close because of the EPA's use of a scientific study to form the basis of pollution rules.

"Facing bankruptcy of my 73 year family business due to the imposition that I must replace all of my previously owned and once legal diesel 'assets' with new, I closed my doors in June 2017," wrote Norman R. "Skip" Brown, owner of both Delta Construction Company, Inc. and Asphalt Consulting Services, LLC.

"My equipment was sold at auction and employees ranging to 40 years with me lost their jobs," Brown said. He sees merit in the science rule by giving industry a voice when a single study can mean life or death for a business. In his case, it was a 1995 study on the harmful effects of soot from diesel engines.

Larger industry trade associations like the American Petroleum Institute, the largest oil and natural gas industry association, see similar reasons for supporting the science rule, but appears to be walking a careful line on how far it thinks EPA should go in implementing the regulations.

In a preview of the group's opinion, Ted Steichen, API senior policy adviser, told the EPA at a public hearing last month that "[s]cience used when developing policy and regulations impacts all aspects of API member business," but that they are simultaneously "dedicated to continuous efforts to improve the compatibility of their operations with the environment."

The API supports the use of sound and transparent science in public policy making, said Steichen, outlining ways the EPA can ensure the science it uses is able to be reproduced by outside parties. His remarks were submitted to the EPA comment docket, but other more substantive comments are expected to also be submitted on Thursday. Meanwhile, environmental groups are pressuring the agency to withdraw the proposed regulations as an affront to science.

The Clean Air Task Force said it is "concerned about EPA's current attitude towards science," senior scientist David McCabe said at a public hearing. He said the Trump administration's recent approach to environmental rulemakings "show the Agency's disregard for objective information and the scientific process, and its move to rely on analysis that supports particular outcomes."

McCabe said this should be of "great concern for all Americans, whose health and welfare depend upon effective environmental regulation," according to the remarks submitted to EPA.

E&E News

https://www.eenews.net/climatewire/2018/08/16/stories/1060094235

EPA wanted its logo removed from the controversial rollback

By Maxine Joselow, 8/16/18

EPA is the harsh teacher, and the Transportation Department is the struggling student.

That's the dynamic at play in regulatory comments submitted this week on the Trump administration's proposal to weaken Obama-era clean car rules.

In dozens of instances throughout the document, EPA career staffers criticize DOT political appointees for making faulty assumptions in order to justify the rollback.

Chief among their concerns is that freezing the car rules could mean more deaths from vehicle crashes — not fewer, as DOT claims.

In another section, EPA chastises DOT for making an inaccurate comparison regarding the standards' effect on vehicle prices, saying, "These sentences are comparing apples to oranges."

EPA staffers also accuse DOT of misrepresenting the findings of researchers Mark Jacobsen and Arthur van Benthem, saying, "The comment about Jacobsen & Van Bentham's finding is the opposite of what they find."

EPA submitted the regulatory comments to the White House Office of Management and Budget in June. They were uploaded on Tuesday to the rulemaking's docket on regulations.gov.

The revelations came two weeks after the Trump administration signaled that it plans to freeze fuel economy standards at 2020 levels, meaning that new car models would travel on average about 30 mpg of gas rather than 36 mpg.

In the regulatory comments released this week, the phrase "EPA does not agree" appears 19 times.

For example, next to a DOT paragraph about how the rollback could encourage more sales of new vehicles, EPA career staff wrote: "EPA does not agree with this conclusion. It's also inconsistent with the argument, above, that consumers consider the lifetime of fuel economy in their purchase decisions."

Jeff Alson, a former staffer in EPA's Office of Transportation and Air Quality, said he heard from former colleagues that DOT political appointees manipulated the findings in their rush to finalize the proposal.

"These political folks had all the answers they wanted. They cooked the books," said Alson, who served as a senior engineer and policy adviser in the transportation office for 40 years before retiring three months ago.

EPA career staffers were shut out of the process by DOT political appointees, who refused to invite them to meetings for months, Alson said. EPA career staffers tried to signal to OMB that their concerns about DOT's technical analysis didn't make it into the final proposal, he said.

Indeed, EPA stated in separate regulatory comments, "This Preliminary [Regulatory Impact Analysis] is a work product of DOT and NHTSA, and was not authored by EPA. ... EPA's name and logo should be removed." The agency was referring to the National Highway Traffic Safety Administration.

EPA spokesman John Konkus pushed back on the notion that there was infighting between the agencies as they sought to craft the proposal.

"These emails are but a fraction of the robust dialogue that occurred during interagency deliberations for the proposed rule," Konkus said in an email to E&E News. "EPA is currently soliciting comments on eight different alternative standards and we look forward to reviewing any new data and information."

Alson said EPA's top political brass would have trouble defending the administration's car proposal if it's challenged in court.

"Right now there's this EPA leadership that chose to rubber-stamp the NHTSA analysis justifying weakening the greenhouse gas emission standards," he said. "And then there's EPA career staff who are the world's experts on greenhouse gas emission standards who were shut out. I assume any reasonable judge would say, 'Wow, EPA political leadership is proposing to weaken the standards, and they didn't even ask the career staff.'"

DOT and EPA have joint jurisdiction over the clean car rules. EPA is responsible for promulgating tailpipe greenhouse gas emissions standards with attention to public health and climate change. DOT is responsible for promulgating corporate average fuel economy standards, with a focus on driver safety.

Tension is bound to arise when two agencies are jointly responsible for one rulemaking, said Bill Reilly, who served as EPA administrator under President George H.W. Bush.

Reilly recalled working with the Coast Guard — then a division of DOT — in the aftermath of the 1989 Exxon Valdez oil spill.

After a tanker spilled 10.8 million gallons of oil into Alaska's Prince William Sound, Bush tasked Reilly and then-Transportation Secretary Sam Skinner with producing a report on the spill and future protection of the nation's harbors.

"I remember talking to Transportation Secretary Sam Skinner, and he later thanked me for my objections," Reilly said. "I didn't go public with my criticism of his report, but we certainly had it. That sort of negotiation is not uncommon, I suspect, when two agencies have jurisdiction."

Politico

https://subscriber.politicopro.com/energy/article/2018/08/the-key-to-trumps-climate-reversal-new-math-740455

The key to Trump's climate reversal? New math

By Alex Guillen and Emily Holden, 8/15/18

The Trump administration's attempt to reverse Barack Obama's most sweeping climate regulation rests on a legally risky strategy — redoing the calculations of how much the rule would cost and who would benefit.

The EPA's proposed replacement is expected to downplay the money that people and businesses would save from using less electricity, a key feature of the Obama-era greenhouse rule for power plants. People tracking the issue also expect that the agency will count only a fraction of the improvements in public health from reduced smog and soot pollution, and won't consider any benefits from slowing climate change outside the U.S.

The upshot: President Donald Trump's EPA will argue that the Obama administration's rule had more costs and fewer benefits than previously stated, a change to help improve the comparison when it unveils its own, much less ambitious power plant proposal as soon as next week.

The Obama administration had estimated that the benefits from its 2015 rule would outstrip the costs by $26 billion to $45 billion by 2030.

Supporters of the Obama version say those net benefits could be even higher now, because states are on track to meet the climate goals and the costs of clean energy have continued to plummet. And they warn that repealing the regulation could keep older, more expensive coal-fired power plants in operation, adding to consumers' costs.
The math could be crucial to the success or failure of a number of Trump rules. That could make the rollbacks legally vulnerable when environmental advocates and states sue to overturn Trump's action, critics of the new proposals say.

"They are cooking the books on technical analysis to try to justify preconceived conclusions that these regulations are bad," said David Doniger, the senior strategic director of the Natural Resources Defense Council's climate program who was influential in the Obama EPA's crafting of the original rule.
EPA did not respond to a request for comment on Wednesday.

Trump administration lawyers reviewing the replacement are already struggling with how to defend a rule that could cost electricity users money but would not do much to address climate change or air pollution, according to a person aware of conversations between the White House and the Justice Department. DOJ would be charged with defending the rule in court.

POLITICO has examined a portion of the agency's unpublished draft of the new rule, which would allow states to write their own modest regulations for coal plants or even or even let plant operators seek to opt out entirely, according to a source with knowledge of the broader proposal.

The proposed rewrite of the power plant rule is part of a pattern: Critics say similarly fuzzy math underlies other Trump administration proposals to reverse or stymie action on climate change, such as a recent plan by EPA and the Department of Transportation to halt a planned tightening of fuel efficiency standards for cars and trucks.

Sean Donahue, an environmental lawyer who has represented groups like the Environmental Defense Fund, said he would expect a court to be "very skeptical" of any effort that looks as though EPA is trying to evade its obligation to regulate greenhouse gases. But he conceded that will depend on the details of EPA's power plant proposal.

"If it were one or two technical judgments where there's a difference between this administration and the last one, or this administration and prior consistent practice, that would be one thing," Donahue said. "But it's many, many things all pointing the same way, all pointing toward rolling back greenhouse gas mitigation efforts."

Trump has repeatedly expressed doubts about man-made climate change, and much of his Cabinet shares a similar view. In contrast, the federal government's own scientific assessment finds that human-caused climate change will not only raise temperatures but also make extreme weather more dangerous and lift sea levels by one to four feet by the end of the century.

Kate Larsen, director of the economic research firm Rhodium Group, said the Trump administration's justifications for unraveling climate change policies are symptomatic of its broader governing principles.

"A decision we make today is narrowly focused on the impacts to myself and my immediate neighbor in the next week, but you're not taking into account impacts next year and the following year to yourself, your neighbor, the entire community," she said.

Environmental experts are also scrutinizing the auto rule proposal, released earlier this month, which would freeze the Obama administration's aggressive fuel economy standards after 2020 and dial back EPA greenhouse gas rules to match.

EPA and DOT's National Highway Traffic Safety Administration argued that the freeze would save billions of dollars in costs. Critics say the administration overestimated compliance costs of the Obama-era auto targets by as much as fourfold, which could significantly tip the cost-benefit analysis in their favor. Another claim that the Trump rollback would save more than 1,000 lives per year — yielding benefits of $77 billion — has also drawn skepticism.
On Tuesday, EPA released a June memo that showed agency staff criticizing a number of "unrealistic" aspects of NHTSA's modeling. They disagreed with the proposals fatality figures, with EPA staff estimating deaths would increase slightly under the freeze. And they thought the rule overestimated compliance costs and the time needed to recoup those costs in fuel savings, all factors that boosted benefits and lowered costs for the proposed freeze. Both EPA and NHTSA dismissed the memo as only one part of a complex review process.

The administration and industry groups have blasted the Obama administration's use of "co-benefits" — the benefits in improved health or reduced pollution that arise even when they're not the primary aim of a regulation. (One example: Cutting coal plants' carbon dioxide pollution under the power plant regulation wouldn't do much directly to improve people's health, but it would also reduce smog.) But Donahue argued that Trump's regulators sometimes lean on co-benefits to help build the case for their rollbacks.

For example, NHTSA's modeling credits changes in consumer behavior as the overwhelming factor behind all the lives that the Trump administration contends its auto rollback would save. The agencies argue that under the previous Obama rule, drivers would be more likely to remain in older, more dangerous cars than purchase more expensive, safer ones.

That "would seem to be a co-benefits argument, since the EPA doesn't have, and NHTSA doesn't have, the authority to regulate used cars," said Donahue, who called the paradox "sort of entertaining."

Counting co-benefits is a long-standing practice for federal regulators, but energy industry groups and Republican state officials grew incensed by the Obama administration's use of it to justify major regulations.

"The co-benefits thing has ballooned into the biggest scandal in environmental regulation," said the conservative Competitive Enterprise Institute's Myron Ebell, who led Trump's post-election transition team at EPA. "You get very small direct benefits, but you make up, essentially, a lot of co-benefits."

Still, he contended that EPA's withdrawal of Obama's power plant rule would eliminate a huge amount of costs in the coming years, saying Obama's regulation represented "just the first emissions cuts."

"There were going to be more beyond that if the Obama administration had been succeeded by the Clinton administration," Ebell said. He added: "By cutting it off in the way that they're doing, we're avoiding immense future costs."

E&E News

https://www.eenews.net/greenwire/2018/08/16/stories/1060094303

Lead concerns drive record demand for EPA loans

Ariel Wittenberg, 8/16/18

Demand for EPA's low-interest loans for water infrastructure improvements has hit a record high, the agency said.

EPA received 61 letters of interest from municipalities requesting $9.1 billion in loans from the Water Infrastructure Finance and Innovation Act program.

The request is nearly double the agency's lending capacity for 2018, which Office of Water head David Ross said demonstrates "the critical need for investment in our nation's water infrastructure and strong support for EPA's Water Infrastructure Finance and Innovation Act program."

"EPA looks forward to reviewing the letters of interest we received as we advance the President's infrastructure agenda and help communities better protect public health and water quality," he said.

Established by Congress in 2014, WIFIA has been extremely popular among municipalities and lawmakers alike. This year, EPA received letters of interest from 24 states, the District of Columbia and Guam.

More than half of the proposed projects would either reduce exposure to lead in drinking water or update aging infrastructure, or both.

The New York Times

https://www.nytimes.com/reuters/2018/08/16/us/16reuters-usa-military-housing-specialreport.html?rref=collection%2Fsectioncollection%2Freuters-news

Special Report: Children Poisoned by Lead on U.S. Army Bases as Hazards Ignored

By Reuters, 8/16/18

FORT BENNING, Georgia — Army Colonel J. Cale Brown put his life on the line in two tours of duty in Afghanistan, earning a pair of Bronze Stars for his service. In between those deployments, Brown received orders to report to Fort Benning, the sprawling Georgia base that proudly describes itself as the century-old home of the U.S. infantry.

He was pleased. His wife, Darlena, was pregnant with their second child, and the Browns owned a home in the area. Their 10-month-old son, John Cale Jr, was a precocious baby, babbling a dozen words and exploring solid foods.

Cale's duties as a battalion commander required him to live on base. So instead of moving into their own house, in 2011 the Browns rented a place inside Fort Benning. The 80-year-old white stucco home had hosted generations of officers.

Like most family housing on U.S. bases today, the home wasn't owned and operated by the military. It was managed by Villages of Benning, a partnership between two private companies and the U.S. Army, whose website beckons families to "enjoy the luxuries of on-post living."

The symptoms began suddenly. At 18 months, JC would awake screaming. He began refusing food, stopped responding to his name and lost most of his words.

"He was disappearing into an isolated brain," Darlena recalls.

For nearly a year, doctors probed: Was it colic? Autism? Ear infections? Then, in late 2012, came a call from JC's pediatrician: He had high levels of lead in his blood. When Darlena told Villages of Benning of his poisoning, contractors ordered home testing.

The results: At least 113 spots in the home had lead paint, including several peeling or crumbling patches, requiring $26,150 in lead abatement. Villages of Benning moved the Browns into another old house next door.

The heavy metal had stunted JC's brain, medical records reviewed by Reuters show. At age two, he was diagnosed with a developmental disorder caused by lead. Now eight, JC has undergone years of costly therapy. He excels at reading and swimming, but still struggles with speech, hyperactivity and social interactions.

When a reporter met JC last year, the boy looked away and repeated a phrase from a children's TV show: "Max, what did you do? Max, what did you do?" Later, JC sat outside and watched sunlight gliding through his fingers, seemingly lost in reverie.

"I'm sad that my son lost his future," Darlena said. "It was because of where we were that this happened."

This wasn't supposed to happen to families like the Browns, who move often between posts for the U.S. armed forces, trusting base landlords and military brass to provide safe shelter for children and spouses.

Cale Brown, a 46-year-old active-duty colonel, now works on detail to the White House on the National Security Council, helping to protect the country from complex threats like North Korea's nuclear program.

For years, he has told the Army of failures to defend children on U.S. bases from lead poisoning, a preventable household health hazard. Ingesting the heavy metal can severely affect mental and physical development, especially in children, causing brain damage and other potentially lifelong health impacts. But poisoning is avoidable if old homes containing lead paint are properly monitored and maintained.

"There is no acceptable number of children that the Army can allow to be so egregiously hurt," Cale wrote in a letter to the Army Office of the Inspector General last year, describing the poisoning of JC and hundreds of other military kids he was aware of. He hasn't received a response to the letter's concerns.

The Browns' story and others, told publicly for the first time here, reveal a toxic scourge inside homes on military bases. Previously undisclosed military and state health records, and testing by Reuters for lead in soldiers' homes, show problems at some of America's largest military installations.

Federal law defines lead-based paint as containing 0.5 percent or more lead by weight. Sales have been banned since 1978. But many older homes still contain lead paint, which is particularly dangerous when it peels, chips or turns to dust – easy for kids to swallow or breathe in.

Reuters tested five homes at Benning, using a methodology designed with a Columbia University geochemist. All five contained hazardous levels of deteriorating lead paint within reach of children, in one case exceeding the federal threshold by a factor of 58.

Testing turned up problems elsewhere as well. At West Point, New York, home of the United States Military Academy, paint chips falling from a family's front door contained lead at 19 times the federal threshold.

At Kentucky's Fort Knox, whose vaults hold much of America's gold reserves, Reuters found paint peeling from a covered porch where small kids play. It contained 50 percent lead by weight, or 100 times the threshold.

The Army requires
http://www.campbell.army.mil/Installation/Environmental_Handbook/Documents/LBPManagementtPlan_DEC2014.pdf
abatement when certified testing identifies deteriorating lead paint in base homes. Yet it also "discourages" this type of lead-paint inspection, in part because lead abatement can be costly.

These homes put military kids at risk. Reuters obtained medical data from the Army showing that at least 31 small children tested high for lead at a Fort Benning hospital over a recent six-year period. All tested above the U.S. Centers for Disease Control and Prevention's threshold for elevated lead levels – 5 micrograms per deciliter of blood. Any child who tests high warrants a public health response, the CDC says.

Army data from other clinics showed at least 77 more high blood-lead tests for children at Fort Polk in Louisiana, Fort Riley in Kansas, and Fort Hood and Fort Bliss in Texas.

From 2011 to 2016, Brooke Army Medical Center in Texas – which processes blood tests from many bases nationwide – registered more than 1,050 small children who tested above the CDC's elevated threshold, the center's records show.

The thousand-plus blood results, obtained from Army bases through Freedom of Information Act requests, provide only a glimpse of the problem. A $10 finger-prick test can spot a child exposed to lead, yet millions of U.S. children are never screened. Just how many are tested across all military bases isn't clear. But for those who are, the results often go unreported to state public health agencies that attend to poisoned kids.

Reuters found that Fort Benning in Georgia was not reporting lead results for small children tested at the base's hospital. Nor was Brooke Army Medical Center in Texas. Georgia and Texas, like most states, require the reporting of all these lead testing results to state health authorities.

The Army declined to comment on the lead hazards Reuters detected at base homes. Asked about the broader findings of this article, a spokeswoman said the Army conducts yearly visits to ensure housing is safe and follows the recommendations of the CDC and the American Academy of Pediatrics when responding to children with high lead tests. Housing managers classify resident complaints about lead paint as "urgent" and seek to respond within hours, she said.

"We are committed to providing a safe and secure environment on all of our installations," Army spokeswoman Colonel Kathleen Turner said in a written statement, "and to providing the highest quality of care to our service members, their families, and all those entrusted to our care."

The two contractors that operate Villages of Benning – Clark Realty Capital and Michaels Management Services – didn't respond to requests for comment.

The military's lapses in lead safeguards leave legions of kids at risk. Private contractors house some 700,000 Americans at more than 100 military installations nationwide, including an estimated 100,000 children ages 0 through 5.

Benning alone is home to some 2,000 small children. Of its 4,001 family homes, 2,274 "have lead-based paint present in them," according to a Villages of Benning memo from November 2017. The mere presence of lead paint doesn't make a home dangerous, but when the paint deteriorates, it is a "hazard and needs immediate attention," the U.S. Environmental Protection Agency says.

"These are families making sacrifices by serving," said Dr. Bruce Lanphear, a toxicity researcher at Simon Fraser University in British Columbia who reviewed Reuters' findings. "It appears that lead poisoning is sometimes the cost of their loyalty to the military."

Reuters began examining lead poisoning at U.S. bases last year, and in April began seeking interviews with Army officials. The Army declined to talk at the time.

After Reuters informed the Army and families that reporters had found hazards on bases, Fort Benning's garrison commander, Colonel Clinton W. Cox, wrote to residents that "unknown persons" were seeking to test homes for lead and advised them not to cooperate. In a June 30 "Resident Safety Alert," Cox told families to call 911 or base security to report such "suspicious behavior."

Cox said he was unaware of who had done lead testing in base homes when he sent the letter. "What we're most concerned about is our residents' security," he said in a brief phone interview.

But behind the scenes, the Army also began quietly addressing some of the problems.

After reporters asked why it often wasn't informing state health departments about poisoned children, the Army overhauled its practices to comply with state laws. When Reuters found unsafe conditions at Fort Knox, contractors announced a neighborhood-wide lead abatement program. After reporters found the neurotoxin in a child's bedroom at Benning, base command approved the family's move to another home.

A HISTORY OF NEGLECT

For most military families, living on base is an option, not a requirement, though it can be enticing. The gated enclaves are considered safe havens that build esprit de corps. They offer support for spouses of deployed troops, access to military schools, lodging for low-income families. About 30 percent of service families live on bases.

By the 1990s, the U.S. stock of military family housing – nearly 300,000 homes in all service branches – was decaying and starved of funding. "Continuing to neglect these issues runs the risk of collapsing the force," the Department of Defense warned in a 1996 briefing document presented to a congressional sub-committee.

The same year, the military began privatizing its homes. The initiative was the largest-ever corporate takeover of federal housing. It was meant to rid bases of substandard accommodations and save taxpayers billions by having contractors foot the rebuilding bill. In return, contractors would enjoy a steady flow of rental income over 50-year leases.

The military knew hazards lurked in its housing. In 2005, the Army released an environmental study that said 75 percent of its 90,000 homes nationwide didn't meet its own standards of quality or safety. Of Benning, it said: "As homes deteriorate, the risk of children's being exposed to hazardous materials ... would increase."

Twenty years after privatization began, in 2016, a DOD Inspector General report found that poor maintenance and oversight left service families vulnerable to "pervasive" health and safety hazards.

An increase in Pentagon housing funds – $133 million – was earmarked this fiscal year, largely for overseas bases, where the military still owns its housing. Meanwhile, in recent years the Defense Department has reduced the housing subsidies that fund upkeep of privatized homes on U.S. bases, leading to fewer maintenance staff, the Army has noted.

The age and condition of base homes vary, and lead hazards are hardly exclusive to military housing. A two-year Reuters investigation https://www.reuters.com/investigates/special-report/usa-lead-newyork identified more than 3,800 neighborhoods nationwide – mostly in civilian settings – with alarming levels of poisoning.

Military families can face special difficulties if they complain about hazards in their homes, however. They are taking on landlords who are in business with their employer. Among the 60 interviewed for this story, more than half expressed fear that being identified could hurt a military member's career.

But in private, some trade stories about unsafe homes. Darlena Brown helped create a private Facebook group with nearly 700 members. Many have shared photos of peeling paint, mold or other toxins at home and tales of unresponsive base landlords.

Reuters devised a plan to test for hazards in the homes and yards of some of these concerned families. Working with Columbia University scientists, reporters provided home lead testing to 11 families on seven bases. Eight homes had blatant hazards in children's play areas – visibly peeling patches of lead-based paint.

Deteriorating paint from these houses – in Georgia, Texas, New York and Kentucky – had "very high" or "extremely high" lead content that puts children at immediate risk, said Alexander van Geen, a research professor of geochemistry who oversaw the lab analysis at Columbia's Lamont Earth Observatory.

The true number of children exposed on bases is hidden by factors including the military's spotty blood-testing and lapses in reporting to civilian authorities.

To prevent further exposure, most state health departments track lead-poisoned children and mandate inspections in their homes.

Yet when Georgia health officials repeatedly sought test results from Benning, the base refused to share them, alluding to exemptions for federal facilities, state email records show. No such exemptions exist.

"They do not report to us," the head of Georgia's lead-poisoning prevention program, Christy Kuriatnyk, vented about Fort Benning in an internal email to colleagues last year. "I've tried to get them to voluntarily report but that went nowhere."

In April, Reuters presented the Army with evidence of its reporting lapses. In late July, the Army said it had "instituted new procedures to ensure that all reporting requirements are properly observed" nationwide.

'NOTHING TO WORRY ABOUT'

At Benning, private contractors took over the base's family housing in 2006. They pledged to demolish thousands of dilapidated homes and build almost 3,200 new ones within 10 years. Estimated cost: $602 million. At the time, 99 percent of Benning homes predated the 1978 U.S. ban on lead paint.

The contractors were also required to maintain nearly 500 historic Benning homes, and agreed to control lead, asbestos, mold, basement flooding and other risks.

In 2011, a Villages of Benning agent took the Browns on a home walk-through before they moved in. Darlena expressed concern about lead paint.

"You have nothing to worry about, Mrs. Brown," she recalled being told. "We've never had any problem with lead."

The same year, Benning Martin Army Community Hospital recorded seven high lead results for small children, hospital records show. The hospital says it doesn't know whether children tested there lived on or off base.

After moving in, Darlena asked maintenance to fix paint chipping around windows, but was told by a supervisor that the crew couldn't work on historic windows, she said.

In 2012, JC and as many as five other children had high lead tests at Benning's hospital.

After JC was poisoned, Cale Brown pleaded with base leaders to enforce regular home inspections, test more kids and scrutinize contractors. "A few small changes could mean the difference between a child having life-altering developmental problems or being completely healthy," he wrote Benning's garrison command in December 2012.

"Bottom line, we will do everything necessary to make sure this is addressed thoroughly and quickly," Colonel Jeffrey Fletcher, the garrison commander at the time, responded in an email. Fletcher declined to comment.

The next year, 2013, Benning's hospital recorded seven more high lead-test results for children. One child had lead levels more than double JC's, hospital records show.

Villages of Benning began replacing some old leaded windows and garage doors around the base that year, but left others in place, state and Army records show.

STALKED BY LEAD, GOING TO COURT

Even after the Browns moved to another Benning home, JC wasn't safe.

In 2013, he began special education preschool classes at Benning's Dexter Elementary School. Months later, Darlena received a frightening note on Defense Department letterhead: Drinking water taps in JC's classroom had tested high for lead.

One had 2,200 parts per billion lead – 147 times an EPA safety threshold and higher than all but a few of the worst taps found during the recent water crisis in Flint, Michigan. It isn't clear how many students may have been exposed. Benning didn't require or recommend they get screened.

The Army said the contamination was limited to individual taps around the base and didn't affect the underlying water system. The tainted taps were shut, and parents who wanted testing for their children were given the option, the Army said.

In 2014, the Browns filed suit in Georgia federal court against Benning's housing contractors, alleging their negligence caused JC's poisoning and seeking compensation for his disability. The contractors denied any wrongdoing and contested the suit.

Cale deployed to Afghanistan the same year. There, he pushed for housing repairs at U.S. bases in a meeting that November with Katherine Hammack, the Army's top official in charge of military installations.

She seemed to favor bold action, Cale said: preventing small children from living in older base homes altogether. Cale said his follow-ups went unanswered.

Hammack, who left the Army last year, told Reuters she explored such a plan, but Army lawyers said it could be discriminatory against families with children. "It is up to the soldier to make a choice," she said.

Families who rent pre-1978 housing on bases are given lead disclosure forms before signing a lease, as required of all U.S. landlords by federal law, and can opt to live elsewhere, the Army said.

Two days before Christmas 2014, Darlena learned that JC's lead levels, which had declined over time, were rising again. Her younger son's levels were up, too, though below the CDC's elevated threshold. The agency says there is no safe level of lead in children's blood.

She removed the boys from their second Benning home that night. Nine time zones away, Cale boarded a chopper out of Forward Operating Base Gamberi in eastern Afghanistan. He was granted emergency home leave to help his family resettle.

The next year, in 2015, the Defense Department's Inspector General found that a Clark and Michaels partnership had failed to correct lead paint hazards in homes at Fort Belvoir in Virginia. The Army pledged to address the issue with contractors, IG records show.

At Benning, meanwhile, children had 14 more high lead tests.

DANGER ON RAINBOW AVENUE

Fort Benning's Rainbow Avenue seems a perfect spot for families, the yards of its 1920s homes filled with toys, American flags fluttering from front porches.

Behind this idyll, children face poisoning risks.

Since 2015, state lead inspectors have visited at least three of the 33 houses on the street in response to calls from worried residents, state environmental records show. "The homes all have high levels of lead," inspectors wrote in an internal memo last year.

In one Rainbow home, they found leaded dust at 93 times the EPA's hazard level.

In another, inspector William Spain of the state Environmental Protection Department visited a mother of three in 2016. He found paint chips throughout the home and later emailed colleagues: "Her youngest will be 5 in July and did not appear normal."

The mother had grown concerned after the mysterious deaths of family pets. But she hesitated when the state offered additional help, pleading with Spain not to conduct lead testing in the home or to speak with neighbors.

Spain, who has since retired, said in an interview that Benning families expressed concern that notifying outsiders might anger commanders and harm careers.

"Something became obvious to me as I worked there," he said. "You and your family cannot make trouble for base command."

State environmental records show that Jana Martin, another mother on the block, had a four-year-old son who suffered for months from severe vomiting and belly pain – common symptoms of lead exposure. She and the doctors were mystified. "I couldn't even get a job because my kid was so sick," Martin said. She had put in two maintenance requests to fix chipping paint, but Villages of Benning didn't respond for months, Martin said.

When Martin's husband met Cale Brown, the colonel urged the family to act. The Martins bought testing swabs online. They lit up bright red, indicating exposed lead paint.

Finally, in October 2016, housing managers moved the Martins out temporarily and replaced their windows. State inspectors only learned about the case when Martin called seeking assistance.

By the time Rainbow resident Dana Sackett left a voicemail on a state lead hotline last year, inspectors knew the street well.

"Another Rainbow row site at Ft. Benning," one wrote.

Sackett, a mother of two, is a PhD toxicologist. Her husband is a lawyer with the Army Rangers. After moving to the street, she spotted paint hazards and complained.

Villages of Benning initially declined to fix them, state files say. Then mold spread in an upstairs closet, and repairs for that problem went ahead while Sackett and her girls temporarily relocated. She demanded the workers address paint hazards, too.

The landlords hired workers to scrape lead paint off the home. They lacked the required safety certifications and protective gear to conduct lead abatement, Army records show.

The Army says it has since taken steps to ensure all Benning workers dealing with lead paint are properly certified.

Last fall, Villages of Benning told Sackett the work was done and her family could move back. She found paint scrapings and dust, the records show, and refused to return unless housing managers could show the home wouldn't poison her girls.

Days later, Villages of Benning declared the property a "contamination area" and had Sackett sign papers promising not to enter. "It was one of the most stressful things I've been through," she said.

Six months later, 103 Rainbow Avenue stood vacant. At another Rainbow Avenue home, paint was peeling from doors and a window by a child's bed. A bathroom faucet leaked brown goop. A pizza-sized black mold bloom covered a ceiling. Outside, old paint crumbled from window frames, steps and a garage.

Lab testing at Columbia showed four of six paint samples from the home exceeded lead safety standards, including one from beside the child's bed. The family reported the findings to Benning officials and is now moving.

'SILENCED VERSION'

About a mile from Rainbow Avenue lies Perkins Village, a cluster of drab mid-century homes that isn't supposed to exist.

Benning's development plans called for all 180 Perkins houses to be razed years ago and replaced with 228 new Mission-style homes. Just a handful of the old homes were torn down, and none of the new ones have been built. Reuters tested two homes in Perkins Village. Both had visibly deteriorating paint with lead above federal safety standards.

The Benning contractors wound up building just over half of the 3,185 new homes that were promised back when the housing was privatized. As a result, records show, nearly three out of five Benning homes still contain lead.

The Army said it's satisfied with the results of the building project. It said it doesn't know whether any children living in Benning's older homes have tested high for lead in recent years. The base's data system can't track where children with elevated lead levels were living when they were tested.

Darlena Brown said Villages of Benning wasn't aware of JC's poisoning, either, until she spoke up.

Court records show the Browns' lawsuit was settled earlier this year. As a precondition of settlement talks, the Benning contractors demanded the Browns stop communicating with Reuters and stop mentioning the dispute publicly.

This January, on the private Facebook page where military families share their worries, Darlena Brown revised an earlier post. It still recounts her son's poisoning but omits any mention of the landlords.

She changed the title, too. It's now called "Darlena's Story (The silenced version)."

The Washington Post
https://www.washingtonpost.com/local/social-issues/many-children-have-been-poisoned-by-lead-in-homes-approved-by-dc-housing-inspectors/2018/08/14/5633a144-9b24-11e8-8d5e-c6c594024954_story.html?utm_term=.6cef09d92218
Numerous children have been poisoned by lead in homes approved by D.C. housing inspectors

By Terrence McCoy, 8/15/18

She was giving Alonzo, then 3, a bath in a tub that her landlord had just painted to pass a housing inspection. She turned to find a washcloth, and when she swiveled back, she found the boy with bits of peeling paint in his mouth. She tried get it out, but it was too late.

The lead tests came back positive: Alonzo had more than double what the government defines as "elevated," and he hasn't been the same since.

Between March 2013 and March 2018, at least 41 families discovered that their homes, subsidized by a housing voucher and approved by city inspectors, contained lead contaminants, according to a tabulation requested by The Washington Post through the Freedom of Information Act.

The District Department of Energy and Environment, which performed the count and the testing, said it inspected about half of the homes because a child living at the property, or visiting it often, had tested positive for elevated levels of lead; the other homes were investigated following a tip about possible lead hazards. The agency said that the list wasn't exhaustive and that there may be more.

The findings again highlight key weaknesses in federal guidelines established by the U.S. Department of Housing and Urban Development, which the District and other cities follow. Many rental properties supported by housing vouchers in the city receive inspections under these standards. But they require only visual inspections for peeling paint and don't mandate lead testing, unlike states such as Maryland and Rhode Island.

"You cannot detect with any certainty that a house does not contain toxic lead dust without doing a dust test, period," said Ruth Ann Norton, president of Baltimore's Green & Healthy Homes Initiative and one of the nation's foremost experts on lead-poisoning prevention.

Since 2013, the District has subsidized and inspected more than 18,900 properties, all while it tries to meet a crisis in homelessness and affordable housing. In the first seven months of 2018, the D.C. Department of Human Services placed 367 homeless families — nearly three times as many as it did in 2013, according to city statistics.

Rick White, a spokesman for the District Housing Authority, which performs many of the inspections for subsidized properties, said that most of the voucher properties in the tabulation were overseen by the agency. After hazardous lead was found in the homes, some families moved out when their landlords did not abate the contamination. Other landlords cleared the properties of lead hazards and provided documentation to city authorities, and the families stayed. It is the landlords' responsibility, he said, to ensure that the homes are free of hazardous lead.

"I do not want you, or your newspaper, mistakenly believing or inaccurately reporting that DCHA is not fully meeting its legal obligations," he said, adding that the city is also reviewing how cities that have made strides in lead remediation, such as Baltimore, conduct their lead inspections. "Rest assured that if federal laws or regulations are amended, then we will adjust our operating practices accordingly. . . . In all cases, DCHA immediately takes appropriate actions against any private property owner where a DCHA inspector identifies peeling paint."

The fix for peeling paint, however, often includes another coat of paint. But superficial and cosmetic fixes, according to housing advocates, lawyers and tenants, do little to address more significant and underlying issues, such as plumbing problems or leaking roofs, that can cause paint to crack and peel again. And that's when lead paint, effectively banned in 1978, becomes dangerous.

"Sometimes families chose housing that may not be great because they feel like they don't have any other options," said Kathy Zeisel of the Children's Law Center. "They may believe the coat of paint has resolved the issue, but by the end of the month, the paint is peeling all over again, and the water is coming through the walls."

It was a problem for Donna Black. She moved into a house on Rittenhouse Street in Northwest Washington with her housing voucher in 2013, while she was pregnant. When she first saw the home, she didn't feel good about it but didn't want to seem "choosy." Plus, the inspectors had said it was okay, so she assumed it was safe.

"That was very false," she said.

The roof started leaking. The paint started peeling. She gave birth. She named the baby Damion.

A year later, his blood carried twice the amount of lead the government calls elevated, although most advocates and scientists say any trace of lead in a child's system can lead to diminished cognitive function.

Four years after that, Black is homeless, living in a Holiday Inn Express with Damion, whose needs her life revolves around. "My son is not a normal 3-year-old," she said.

A lot of days, she's filled with anger.

"We're very upset with the city," she said. "The city is the number one reason why this has happened to my son. . . . They let our family move in there, and it was fixed up to the point where it could look like it was okay, but it really wasn't."

Mattocks, too, has trouble understanding how to a raise a child who is different from her seven other children. Alonzo, now 7, is always behind in his schooling, and she worries about what sort of life he will have. "I'm worried that, as an African American male, they're already having so many issues with police brutality and being discriminated against that I'm fearful . . . that this will be another barrier that he'll have to try to get through."

Mattocks and Black filed lawsuits against the housing authority and their landlords in District Superior Court in 2016, but the housing authority was dismissed from the cases after arguing that it wasn't liable, although that decision is being appealed. "There really should be stricter standards to protect the children," said Alan Mensh, the attorney representing the two.

Scott Muchow, the landlord for Mattocks's property, declined to address specific questions about Alonzo's lead poisoning. "In late 2016, I received notice of a lawsuit for lead paint related issues at the property from Ms. Mattocks, but during discovery, Ms. Mattocks chose to voluntarily dismiss the case," Muchow said in a statement.

The lawsuit against Black's landlord, Jerome Lindsey, who could not be reached to comment, is pending.

Mattocks and Black said they were less interested in money than a sense of justice. They moved into homes that were supposed to be safe but turned out to be anything but, and now they're raising children whose needs exceed their means. And no one, they say, wants to take responsibility.

"So who do we hold responsible?" Mattocks said. "We have to hold the city accountable, and the landlords accountable, we have to hold all of these people accountable . . . so that the children we call our future, we take care of these children. . . . But how do we do that if we don't hold them accountable?"