

Erlend Kimmich
Personal Testimony
11/30/21

Public Hearing

To discuss Childhood Lead Poisoning in New York State Before New York State Senate Standing Committee on Health And Senate Standing Committee on Housing, Construction and Community Development

Hi my name is Erlend Kimmich and I live in NYC . As a remodeler, I take public safety seriously, and I always ensure that we are taking proper precautions on a worksite to prevent the damaging effects of lead exposure. However, I have experienced firsthand the lackluster enforcement mechanisms at the city and state level to hold workers accountable who do not feel the personal responsibility to keep people safe.

From November 2012 to at least May 2013 there was a Hallway renovation in our 362 unit residential coop building. The work included removing wall paper and scraping and sanding surfaces including door trim. My wife and I and some other neighbors in the building were concerned about lead contamination.

The contractor was not in compliance with EPA regulations around lead. The construction created dust and paint chips on the common passageway floors and there was no distribution of lead paint informational pamphlets. Entry doors to apartments were not taped. Plastic was not draped as catchments for chips and dust. Daily clean up was lousy with proper HEPA vacuums, only brought on site after residents made noise and filed complaints with 311 and the co-op board. Even building ventilation registers were not covered.

The work proceeded in this 16 story building home to some children under 6 in phases with 2 or 3 hallways at a time. Residents of the building decided to test for lead ourselves with EPA test kits we got at the local hardware store, and found lead to be present on surfaces exposed as they were removing the wall paper . We relayed these results to the coop board and the contractor and they brought in an independent lead testing company. The independent tester found lead in some wall surfaces that were being disturbed with wall paper removal and in the door frames. The board posted a notice of findings with a brief statement reassuring residents that the contractor was lead certified and that measures were being taken to minimize the lead hazard.

We urged the board to demand the contractor or the board distribute the lead pamphlet to residents so people, especially families with young kids could safeguard their apartments as recommended by the EPA. Pamphlets were never distributed

nor did they send a letter or post a notice advising folks of the EPA website where the pamphlet can be found.

Out of desperation, we called the EPA and asked for them to investigate the building for lead exposure. The agency was unable to send inspectors at the time that work was being done and informed us that they had to be present as the lead paint was being disturbed and falling from the workers tools in order for the inspection to be valid. Getting them to come out to the building required phone calls, faxes, and emails. The EPA told us that they only had 3 inspectors to address complaints and inspection requests in NYC. As the work progressed and no actions were taken by EPA, the contractor's work practices and protection efforts got worse instead of better. The experience was frustrating and clearly dangerous. How many of our neighbors were taking precautions to wipe their feet, their pets feet, etc. when they entered their home I don't know. How many people got sick from lead exposure, I don't know. Any short or long term health concerns were preventable only if the government was willing to intervene.

We need to start taking lead exposure seriously as a state, especially considering the amount of lead paint we have present here in New York. Thank you for your time, and allowing me to share my experience.