



OSC Disclosure Narrative

Overview

This is a narrative to supplement a disclosure filed by a current federal employee pursuant to 5 U.S.C. §1213 through counsel at Public Employees for Environmental Responsibility (PEER) concerning unsafe and unhealthy staff housing conditions at Yellowstone National Park (YNP). These disclosures present reasonable evidence that the National Park Service is engaged in activities which:

- Constitute violation of a law, agency rules, and regulations; and
- Present a substantial and specific danger to public health or safety.

In summary, thousands of Yellowstone employees and their families have been and/or are currently being exposed to harmful levels of lead through the paint in their housing. Many remain exposed today without a form of abatement. There are current and former residents that have not been warned of this risk.

The five major elements of this disclosure are:

- I. Long known unabated lead-based paint (LBP) issues in YNP residences.
- II. YNP's failure to address dangerously high lead levels in the soil, including play areas surrounding these houses.
- III. Failure of park officials to notify current and past residents of lead dangers.
- IV. Unmonitored occupational lead exposures.
- V. Approval of improper, unsafe LBP removal operations and renovations.

Background

Yellowstone National Park is the oldest national park in the world. Many of the homes for employees were built before 1900, and most remaining homes were built well before 1978, which carries with it a presumption of the presence of lead-based paint (LBP).

Abatement of LBP in residential structures has long been required by law, most notably the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X) and the Toxic Substances Control Act (TSCA, Title IV). Notwithstanding these mandates, as detailed in this narrative, NPS management has failed to adequately address its legal mandate to protect workers and families living and working in Yellowstone in the 30+ years since the passage of Title X in 1992.

Substantial and Specific Danger to Public Health and Safety: The adverse health impacts of human exposure to lead are well documented. Lead is a potent neurotoxin with no safe exposure level. Of particular concern is the pathway of lead to children and pregnant women through lead dust and other lead particles from peeling LBP.

In Children. Brain & Nervous System Damage: Even low levels of exposure can cause permanent loss of IQ, learning disabilities, and a decreased attention span. **Behavioral**

Issues: Research links lead exposure to increased hyperactivity, aggression, and anti-social behavior. **Physical Stunting:** Lead can interfere with red blood cell production (causing anemia) and slow physical growth or hearing development.

In Pregnant Women. Lead is particularly dangerous for expectant mothers because it can cross the placental barrier. **Reduced Fetal Growth:** It can cause low birth weight or premature birth. **Developmental Delays:** The baby may experience brain damage before they are born. **Miscarriage Risk:** Elevated levels of exposure are associated with an increased risk of miscarriage or stillbirth.

In Adults. **Cardiovascular Issues:** High blood pressure and increased risk of hypertension, and anemia. **Kidney Damage:** Long-term exposure can cause chronic kidney disease and even failure. **Reproductive Issues:** Decreased fertility in both men and women. **Cognitive Decline:** Memory loss, difficulty concentrating, central nervous system impairment, and "brain fog."

These substantial and specific dangers are common to all five parts of this disclosure narrative.

Documentation of Each Disclosure Element: Before going into the five facets of this disclosure, it should be noted that much of the substance of this disclosure was filed by the same employee who is the author of this disclosure with the Interior Department's Office of Inspector General (OIG). Rather than investigating this complaint, the OIG referred the matter back to Yellowstone. In response, the Park Service produced a document entitled *YELL Lead Hazard Compliance Review 2025*, which is enclosed as Exh. 1 to this disclosure.

The 2025 review captures some – but not all – of YNP's management's failures on LBP in employee housing, admitting for example that:

“Evaluating and mitigating exposure risks, especially for vulnerable populations, is a regulatory imperative unmet at YELL” (“Exposure Risk Evaluation”, pg. 7).

“Yellowstone's housing office was unaware of their own HMP [Housing Management Plan] and was unable to answer to crucial elements of managing health hazards in GFH [Government Furnished Housing]” (“Conclusions and Next Steps”, pg. 8).

Lead Management Plans are required to be updated at least annually. Yellowstone's Lead Management Plan has not been updated since 2017. *YELL Lead Hazard Compliance Review 2025*, see Appendix.

I. Long known, unabated, lead-based paint issues in Yellowstone National Park residences.

A. Supporting Documentation

Park officials acknowledge that around 290 historic residences contain lead paint. Many of these structures still house employees and their families.

For example, a 2021 review by Tetra Tech done for YNP entitled *Hazardous Materials Inspection Report: Rehabilitate Exterior or Historical Fort Yellowstone Buildings* found that “Lead in paint were detected above the United States Environmental Protection Agency (EPA) and United States Department of Housing and Urban development (HUD) definition of lead-based paint on select exterior components” for most of the housing units reviewed. Exh. 2, pg.2. Most of these housing units had been in a poor state for many years prior to the Tetra Tech report. In the years since the 2021 inspection report, few of these buildings have been safely rehabilitated.

More recently, the *YELL Lead Hazard Compliance Review 2025* identified critical failures in Yellowstone’s “Family Housing Lead Management,” with only 16% overall compliance. Exh. 1. The review notes that “the low Fully Met percentage underscores significant gaps in execution beyond policy, particularly in housing management,” (pg. 5).

Notably, this review concludes:

“Annual inspections by facility maintenance staff are required in YELL’s program to ensure GFH [government-funded housing] remains ‘decent, safe, sanitary’ but records do not demonstrate an annual schedule or focus on lead hazards... More critically, there is no prioritization of pre-1960 housing—known for higher lead risk (Unmet, 0%). This subsection’s 33% rating reflects a fragmented program: policies exist, but implementation and prioritization lag,” (pg. 6).

Examples of the long-standing condition of Yellowstone employee housing with unremediated lead-based paint.



Example of failing lead-based paint, typical of “Lower Mammoth” housing in YNP. Lower Mammoth House 1, (photo from 2022).



Yellowstone Home MA11, with peeling lead-based paint and children's bikes (photo from 2024).



Fort Yellowstone residence MA7—where the Aiuppa family lived from 2018 to April 2022. Picture of improper LBP renovation in September 2022.



Lower Mammoth residence MA400 on February 21, 2024. Soil excavation done prior to testing for LBP.

B. Violations of Law, Regulation, and Policy

Title X, Section 1018 of the Residential Lead-Based Paint Hazard Reduction Act of 1992 requires the disclosure of known information about lead-based paint and lead-based paint hazards in housing built before 1978. 42 U.S.C. § 4822 *et seq.* However, units known to have lead paint issues shall not be occupied by children under the age of six or by pregnant women,

according to NPS Reference Manual 36: Housing Management Program.¹

NPS Reference Manual 50B requires tenants to be relocated from dwelling for duration of project until final clearance is achieved” for “any interim control or abatement method disturbing more than 50ft² of exterior painted surface per dwelling.” Table C-2.

Title 15 U.S.C. § 2688 generally requires control of lead-based paint hazards at all Federal facilities.

NPS Director’s Order #36 and Reference Manual #36 require that “GFH [government furnished housing] in poor condition (either interior or exterior) must be brought into good condition within three years through rehabilitation or replacement”, and within two years from “fair” to “good”. See Dir. Order 36, pg. 7 and Ref. Manual 36, pgs. 68-69.

II. YNP’s failure to address dangerously high lead levels in the soil, including play areas surrounding these houses.

A. Supporting Documentation

Generations of pregnant mothers and young children have lived in Fort Yellowstone homes contaminated with soil containing dangerous levels of LBP. Most of these homes were built before 1900.

Families in nearby “Lower Mammoth” homes have been similarly exposed to LBP-contaminated soils for decades. Most of the LBP components tested by Tetra Tech in 2021 were listed in poor condition.

The 2021 Tetra Tech Inspection report found, “Lead in soil were detected above the EPA defined lead hazard around all exterior portions of buildings 3 through 6, 8 through 12, 14, and 30 through 33.” Exh. 2. Most of these areas remain unremediated.

Although Yellowstone began soil testing in 2021, the disturbing results were not communicated to residents until two years later, after at least one family had to request whether testing records existed. In another example, on February 21, 2024, YNP initiated testing for lead in the soil at Mammoth residence MA400 – but only after the soil had already been dug and several window-wells already installed and backfilled with soil and gravel. No testing for lead had been done prior to renovations on this pre-1978 house, as required by law.

In addition, the *YELL Lead Hazard Compliance Review 2025* concedes that there are no records of clearance testing on homes or soil after renovations. See pg. 8 and Appendix.

B. Violations of Laws, Regulations, and Policies

The Toxic Substances Control Act (Title IV: Lead Exposure Reduction), specifically, §403 of

¹ Ref. Manual #36 is an internal document in effect until 2025, the entire time that the Aiuppa family (and others) lived in this housing.

TSCA, requires abatement of conditions that cause exposure to lead-contaminated dust or soil (as well as paint) that would result in adverse health effects to humans. 15 U.S.C. § 2683.

NPS Director’s Order #50B and NPS Reference Manual 50B require NPS to “identify recognizable threats to employee occupational safety and health...” and for any hazard that “cannot be eliminated, efforts will be made to provide for employee occupational safety and health through other controls, including closures, guarding, signing, personal protective equipment, training, or other forms of education.”

III. Failure of park officials to notify current and past residents of lead dangers.

A. Supporting Documentation

The *YELL Lead Hazard Compliance Review 2025* found “There is no provision for testing at-risk occupants when hazards are identified, nor reporting per CDC [Centers for Disease Control] and state protocols (Unmet, 0%),” (pg. 7).

In addition, the Review notes that YNP “lacks a policy to avoid assigning children under 6 or pregnant women to GFH with known lead-based paint (Unmet, 0%; RM-36, Section 9.7.2.1). The 0% rating reflects an absence of proactive measures and risk evaluation. Immediate action is needed: implement pre-renovation risk assessments, establish BLL [blood lead level] testing for at-risk occupants when a risk is identified, and adopt tenant assignment policies as soon as possible to safeguard potentially at-risk residents.” *Id.*

This conclusion fails to mention the instances of elevated blood levels (EBLL) of multiple children reported to management and management’s subsequent failure to follow Housing and Urban Development (HUD) reporting/risk assessment protocol.

In one highly publicized case, a family living in Yellowstone housing is currently suing the DOI-NPS for this failure. Yellowstone management received the results of third-party lead testing on the family’s home (and many others) in November 2021, but management withheld the results until 2023. Furthermore, YNP managers withheld the 2021 Tetra Tech report from this family for more than a year after the family reported their child’s EBLL. Even then, in 2023, the family had to request if any such reports existed – more than a year after the family had reported elevated blood lead levels in one of their children. Exh. 3, Aiuppa Family Timeline Redacted.

- Though the YELL Compliance Review noted the Park’s failure to comply with EBLL thresholds, the NPS investigator used obsolete EBLL thresholds that were abandoned by health authorities 9 years ago. One of the Aiuppa’s children tested at 5.3 µg/dL. The child of another family tested at 6.3 µg/dL.
- **January 2017:** HUD updated the Lead Safe Housing Rule to lower the reference blood lead level threshold to 5 µg/dL, matching the 2012 CDC standard.
- **October 2021:** CDC blood lead reference value is lowered to 3.5 µg/dL.

- **January 2025:** HUD announced a reduction in the reference blood level threshold to 3.5 µg/dL.
- The state of Wyoming relies on the CDC 2021 standard of 3.5 µg/dL.

The 2025 Compliance Review also states that “YELL’s HMP [Housing Management Plan] offers no provisions to relocate occupants during significant lead activities...”, and it gives Yellowstone a 0% compliance rating for “Protecting Building Occupants During Lead Activities,” (pg.7).

B. Violations of Law, Regulation, and Policies

A provision of the Residential Lead-Based Paint Hazard Reduction Act of 1992 (Title X) requires disclosure of information concerning lead upon lease or transfer of target residential property, defined as any housing constructed prior to 1978. 42 U.S.C. § 4852(d).

24 C.F.R. § 35.86 provides that for Government properties:

“(1) [Government] shall provide lessee with an EPA-approved lead hazard information pamphlet. Such pamphlets include the EPA document entitled *Protect Your Family From Lead in Your Home* (EPA-747-K-94-001) or an equivalent that has been approved for use in the State by EPA. (2) [Government] shall disclose to lessee the presence of any known lead based paint and/or lead-based paint hazards in the target housing being leased. [Government] shall also disclose any additional information available concerning the known lead-based paint and/or lead-based paint hazards, such as the basis for the determination that lead-based paint and/or lead-based paint hazards exist, the location of the lead-based paint and/or lead-based hazards, and the condition of the painted surfaces.”

IV. Occupational Lead Exposures Unmonitored

For more than 15 years, no YNP employees have been air-monitored (exposure monitoring) for lead exposure, as required by the U.S. Occupational Safety and Health Administration (OSHA) in 29 CFR 1926.62.²

In the distant past, YNP had the equipment to monitor NPS employee exposure according to OSHA requirements but has not done so since at least 2011. In contrast, the largest on-site concessionaire, Xanterra, currently monitors employee exposure in lead remediation projects for the historic preservation crew.

Further, NPS Reference Manual 50B and Director’s Order #50B mandate that occupational safety and health is to be “a critical element” of National Park management and employees’ job duties and requires the NPS to inspect every workplace to “correct deficiencies in priority order

² Though the YELL report states on the cover page that remediation projects have air exposure monitoring, these protections are only for third party contractors, recently added, and in response to an OIG complaint.

to eliminate or control hazards and meet applicable statutory, regulatory, and policy requirements and codes/standards,” (pg. 3).

V. Approval of improper, unsafe LBP removal operations and renovations.

A. Supporting Documentation

Until 2024, YNP failed to register as an EPA-certified RRP firm (Renovation, Repair, and Painting). Without certification, the park allowed untrained and uncertified employees and contractors to perform work on residences presumed or known to be contaminated with failing LBP.

Despite repeated warnings, YNP management has continued to assign lead-based paint renovation and abatement work to untrained NPS employees and uncertified contractors, even after employees reported repeated lead safety violations to YNP supervisors.

Even after the park purchased an X-ray Fluorescence (XRF) spectrometer in 2022, YNP supervisors continued to direct demolition of pre-1978 housing without the required testing or safety protocols.

For contract work performed on Mammoth residence MA562 in May 2024, an uncredentialed subcontractor performed lead abatement on a house occupied by a pregnant mother and at least one toddler under the age of six. An NPS employee expressed his concern about the work being done, but staff was falsely informed that the work was being done according to proper protocol. After the employee reported the incident to higher-level supervisors on May 22, 2024, it was confirmed that supervisor’s statements were false, and the contract work was temporarily halted.

B. Violations of Laws, Regulations, and Policies

Pursuant to Section 402(a) of TSCA, EPA promulgated regulations prescribing procedures and requirements for the accreditation of training programs and renovations, procedures and requirements for the certification of individuals and firms engaged in lead-based paint activities, work practice standards for performing such activities, and delegation of programs. 40 C.F.R. Part 745, Subpart L, Lead-Based Paint Activities. Firms that perform renovation, repair, and painting projects (RRP) that disturb LBP in most pre-1978 homes, childcare, pre-schools, and child-occupied facilities must obtain firm certification and use certified renovators.

OSHA also requires that workers must be protected from occupational exposure to lead, including exposure limits, monitoring, engineering controls, and medical surveillance. 29 CFR 1910.1025.

In addition, NPS Director’s Order #50B directs all NPS managers, supervisors, and employees to implement comprehensive risk management program throughout the NPS which provides for the occupational safety and health of all NPS employees.

Conclusion

YNP managers have been aware of the issues detailed above for years. In response to employee complaints, the park has made only incremental progress towards resolution of these issues. Nonetheless, the fundamental conditions remain unabated, and hundreds of employees and their families are presumably being poisoned by continued exposure to harmful levels of lead-based paint in their living quarters and play. This is not administrative oversight; it is 30 years of entrenched noncompliance. Years of neglect allowed a known hazard to escalate into a preventable public health crisis while management has failed to take accountability.

The filing of this whistleblower disclosure is done in the hope that intervention by the Secretary of Interior will induce NPS and YNP to seriously redress these ongoing hazardous conditions.

Supporting Documents Attached:

Exhibit #1: *YELL Lead Hazard Compliance Review 2025*

Exhibit #2: *TetraTech Hazardous Materials Inspection Report*

Exhibit #3: *Aiuppa Timeline Redacted*

Yellowstone Reference Manual #36: Housing Management Program (in effect 2010-2024, revised 2024).

Yellowstone Director's Order #50B: Occupational Health and Safety Program