

ANDREW S. JULIEN,  
PUBLISHER & EDITOR-IN-CHIEF

ajulien@courant.com

EDITORIAL

# Crumbling concrete foundations in Canada were quickly replaced. Why not here?

*Editor's note: This is the second of two parts. Part one appeared in the Jan. 6 edition of The Courant.*

In the early 2000s, when the concrete-crumbling pyrrhotite plague first showed up in homes in Trois-Rivieres, Canada, there were already a number of safeguards in place that contributed to the relatively quick response to the problem.

Since then, about 2,000 homes have had their foundations replaced in the city, six hours north of Hartford. Here, the process is just getting underway, and it's still not clear who or what is going to bear the costs of replacing potentially thousands of crumbling concrete foundations in northeastern Connecticut.

The factors that combined to move things along in Canada are largely missing here.

## Trois-Rivieres had a sympathetic judge.

In 2014, more than 800 Canadian homeowners won a huge lawsuit. The judge found that a testing laboratory had ignored Canadian building guidelines when it allowed pyrrhotite in concrete.

The judge ordered the lab to pay the lion's share of the \$196 million penalty (\$146 million in U.S. dollars). The big companies involved — the quarry, concrete makers and other contractors — are paying the rest. They have appealed the decision.

Connecticut homeowners are having a tougher time in court.

The two companies linked to crumbling foundations have "no substantial assets," former Gov. Dannel P. Malloy said. They are the Becker quarry in Willington and the now-dissolved Joseph J. Mottes concrete company of Stafford, owned by the same family. A family member blames installers. The two companies have nevertheless agreed to stop selling aggregate for home construction within Connecticut.

Homeowners have turned to suing insurance companies for denying their claims.

For years, however, the state's Insurance Department has been approving changes in homeowner policies. Those changes limit insurers' coverage for foundations.

One case did make it to a jury trial. In 2011, Joseph and Janice Bacewicz of Tolland won \$175,000, plus \$41,000 in interest, from NGM Insurance Co.

A class-action suit is winding its way through federal court in Bridgeport. Some 30 homeowners are suing a dozen insurers. So far, the lawsuit has survived motions to dismiss it.

## Quarry testing found pyrrhotite in Canada.

The state of Connecticut doesn't require quarry testing for pyrrhotite or other damaging iron sulfides. That has to change. The Becker quarry isn't the only one sitting in a rock formation that might contain iron sulfides, according to a map published by James Mahoney, an engineer whose own home is affected.

Also, Connecticut leaves quarry permitting largely up to strapped towns — unlike, say, Pennsylvania, whose Department of Environmental Protection issues permits and regulates all mining in the state. That state requires chemical analyses of minerals to detect dangerous sulfides.

The U.S. Army Corps of Engineers is recommending that Connecticut adopt the toughest quarry standards in the U.S. What is Connecticut waiting for?

Turn to **Editorial, Page C4**



# Editorial

Continued from Page C2

It's waiting for a quarry plan. It's waited more than a year for legislators to finish appointing members of a group to come up with that plan. It's now waiting for the group to meet. Their report was due, by law, in 2018.

What's the holdup?

## Trois-Rivieres had records.

Once basement walls began to crack, homeowners in Trois-Rivieres could see where their concrete came from and what it contained, because many companies retained those records.

Connecticut homeowners have had a harder time finding that information. Home building permits didn't have to list concrete suppliers or installers until recently. Many Mottes company records were lost in a fire, according to a lawsuit.

Now, state law makes it easier to find this information. It requires town officials to collect the names of concrete suppliers and installers for new buildings and hold them for 50 years.

## Canadian companies were held to standards.

The judge in the 2014 mega-lawsuit in Trois-Rivieres pointed to a Canadian building standard that had warned against iron sulfides in concrete. That standard, the judge said, "is at the heart of the debate."

The judge also quoted the standard from ASTM International — formerly known as the American Society for

Testing and Materials. That standard says iron sulfides can "create distress in concrete."

Connecticut doesn't require home construction companies to abide by this international standard.

## Trois-Rivieres homeowners banded together earlier.

In 2009, residents formed what would become the Coalition d'Aide aux Victimes de la pyrrhotite. It's a formidable group that has advocated, successfully, for homeowners and that gets government funds for a full-time staffer to guide them through the remediation process.

The Connecticut Coalition Against Crumbling Basements began seven years later, when the pyrrhotite story broke. This coalition is run by two volunteers, Tim Heim and Cheryl Cranick, with no government funding. It attracts large crowds to meetings, but its leaders have other jobs, and Mr. Heim has added a second one to pay for his own crumbling foundation: He's taking core samples from homes to test for pyrrhotite at Trinity College.

## There is federal help for Trois-Rivieres.

The Trudeau administration has pledged \$30 million to help with foundations, and the government of Quebec, \$52 million.

By contrast, the Trump administration has yet to pledge any money to Connecticut's problem. It's giving tax breaks to homeowners. They can deduct the cost of repairs. And the state can divert money it already gets in federal

block grants to this problem. But there's no new money.

There's no Federal Emergency Management Agency to the rescue with grants. The state has twice asked and twice gotten shot down. Connecticut is on its own.

## But, having failed homeowners for too long, Connecticut is on the case.

The state promises to be generous with stricken homeowners. It plans to bond \$100 million over five years to fix foundations. It is also raising \$9 million a year from a \$12 annual surcharge on homeowner insurance policies.

Connecticut's grants will be more generous than Canada's, where remediation aid is capped at \$75,000 per home.

The Connecticut aid could stop, however, if the state doesn't bond for it every year.

## The final lesson: Don't lose hope.

The good news from Canada is that homes regain their worth once the pyrrhotite is gone.

"Once they have been repaired, they recover their value," Sonya Auclair, Trois-Rivieres' assessor, recently told the Trois-Riviere newspaper Le Nouvelliste.

Connecticut begins that long path to recovery this month, when homeowners can start filing claims at crumblingfoundations.org.

This state must, meanwhile, make sure that pyrrhotite never gets into another new house.

This tragedy can't happen again. Connecticut must do far more to protect its residents from this concrete cancer.

## By the numbers: Comparing the pyrrhotite problems in Canada and Connecticut

Canada and Connecticut have had similar pyrrhotite problems but different ways of addressing them. Here are some key ways things have differed through the years.

### Canada

- ▲ 2,000. The number of foundations replaced so far.
- ▲ 4,000 to 8,000. Estimates of homes affected.
- ▲ 1996-2008. The years when homes with pyrrhotite were built.
- ▲ 2001. The year complaints began.
- ▲ 2006. The first major lawsuit is settled. 31 homes are repaired.
- ▲ 2014. Homeowners win a mega-lawsuit involving 857 buildings.
- ▲ \$52 million (\$39 million in U.S. dollars). Aid pledged by the province.
- ▲ \$30 million (\$22 million U.S.). Aid pledged by the federal government.

### Connecticut

- ▲ 772. The number of foundation complaints filed to date.
- ▲ 5,000 to 34,000. Estimates of homes affected.
- ▲ 1983-2015. The years when homes with pyrrhotite were built.
- ▲ 2001. The year complaints began.
- ▲ 2015. TV reporter George Colli breaks the pyrrhotite story.
- ▲ 2016. State investigation finds no evidence laws were broken.
- ▲ \$100 million. Aid pledged by the state.
- ▲ \$0. Aid pledged by the federal government.