

American Academy of Pediatrics · Association of State and Territorial Health Officials ·
Change Lab Solutions · Children's Environmental Health Network · Children's Health Forum ·
CLEAR Corps USA · Coalition to End Childhood Lead Poisoning · Healthy Schools Network ·
Lead and Environmental Hazards Association · National Association of Lead and Healthy Homes Grantees ·
National Association of County and City Health Officials · National Center for Healthy Housing ·
National Environmental Health Association · National Health Law Project · National Nursing Centers Consortium ·
OMB Watch · Prevention Institute · Public Employees for Environmental Responsibility ·
Safe Kids USA · Sierra Club · Trust for America's Health

The Honorable Barbara Boxer
Chairman
Committee on Environment and Public Works
United States Senate
Washington DC

The Honorable James Inhofe
Ranking Member
Committee on Environment and Public Works
United States Senate
Washington DC

Dear Senators Boxer and Inhofe:

On behalf of the undersigned organizations, we are writing to express strong opposition to S. 2148, the Lead Exposure Reduction Amendments Act of 2012. The purpose of EPA's Lead- Safe Certification regulation is to protect children from exposure to lead hazards caused by renovation work in pre-1978 homes and child-occupied facilities. This bill would turn back the clock on these protections and expose thousands of children and pregnant women to lead hazards caused by painting and remodeling projects.

Lead poisoning causes cognitive and behavioral problems that are pernicious and persistent, such as attention deficit hyperactivity disorder and other cognitive disabilities. At present, there is no "safe" level of lead exposure for children of any age. In fact, recent studies have demonstrated proportionately greater harm from low level lead exposure than from higher levels of lead that were previously thought to be especially dangerous. Children with harmful blood lead levels will lose 3 to 4 I.Q. points on average, which can make the difference between a high D average and a low C. Children with a history of lead poisoning are six times more likely to drop out of school. Children with lead poisoning also have cardiovascular, immunological, and endocrine effects. Other effects include abnormal balance, reading disabilities, poor eye-hand coordination, longer reaction times, and sleep disturbances. Ultimately, lead exposure costs the nation more than \$50 billion in lost lifetime productivity.

Congress directed EPA in 1992 to develop a rule to protect infants, children, pregnant women, families, and workers from lead caused by renovations. After 18 years of deliberation, a regulation finally went into effect in 2010. The system has certified nearly 100,000 firms and half a million renovators. The bill would stop this progress and once again allow dangerous renovation work in millions of pre-1978 homes, schools, and child care facilities to needlessly expose the public to unsafe levels of lead that can damage children's brains and futures.

The bill's major threats to children's health would:

- Create a huge loophole exempting work that creates lead-based paint hazards from any of the protections of the lead renovation rule if there is presently not a child occupant under age six or pregnant woman. This "opt-out" provision would place in harms way renters' children, children over age six, child visitors from the extended family and neighborhood, children of renovation workers, and children receiving home-based day care services, as well as the children of future buyers and renters. It would also cause lead exposure for women of child-bearing age, including women who do not know they are pregnant. A pregnant woman's exposure to lead is hazardous for her baby, because lead in a mother's blood can easily cross the placenta to the fetus. EPA already discarded an opt-out provision in rulemaking.
- Halt all lead safety requirements for dangerous renovation work in homes and child-occupied facilities merely because there is no commercially available test kit for lead paint that passes the positive response criteria. In the four years since EPA announced the test kit option, no business has developed the product. Testing the paint before renovation work is optional: no renovator needs a test kit to do his or her job. EPA permits testing so a renovator can skip the work practices if lead-based paint is not present. There are three methods of testing available: collect paint chips for lab analysis or hire a certified lead inspector or risk assessor or use a test kit that has only passed a negative response test.
- Tie EPA's hands forever by eliminating authority to set lead levels and preventing the Agency from clearance testing for remaining lead dust testing after renovations and other lead-related work. These provisions go beyond nullifying the current rule, to pre-empting future protective practices that scientific evidence may warrant.

S. 2148 would eviscerate an established safeguard that the nation needs to protect our children. Therefore, we ask you to stop this bill and resist any other efforts to weaken, delay or block these vital public health protections. Please reject S. 2148, the Lead Exposure Reduction Amendments Act of 2012.

If further information is desired, please contact Jane Malone, National Center for Healthy Housing at jmalone@nchh.org or 202.280.1982.

July 12, 2012