

April 16, 2007

The Honorable Stephen Johnson
Administrator
Environmental Protection Agency
Ariel Rios Building
1200 Pennsylvania Avenue, N.W.
Washington, DC 20460

Dear Administrator Johnson:

On behalf of advocates and practitioners across the US, we are writing to request your personal intervention to halt dangerous renovation, remodeling, and painting work in pre-1978 homes by issuing a timely and fully protective Renovation, Remodeling, and Painting (RRP) Rule to ensure that such activities are conducted safely. It has been nearly 15 years since President George H. W. Bush signed into law Title IV of the Toxic Substances Control Act (TSCA), which defined the Agency's responsibilities for childhood lead poisoning prevention, and 11 years since the TSCA deadline for this rulemaking. EPA's failure to promulgate these regulations directly undermines its goal to eliminate childhood lead poisoning by 2010. The RRP rule is a critical part of the effort to protect children living in the four million homes where renovation, remodeling and painting jobs are conducted each year.

We ask that you intervene to expedite the rulemaking process and ensure that the rule protects all children by banning dangerous methods of paint removal, requiring clearance, and ensuring effective training for all RRP workers. Once the rule is finally promulgated, we ask that you support strong enforcement to ensure that children are protected.

The long-overdue rulemaking process has been replete with events that have served to delay the rule and dilute its effectiveness, such as the extension of the first comment period to accommodate real estate and builder industry groups and the Agency's decision to initiate a new study of lead dust after an industry group announced its plan for a study. This pattern has delayed the final rule well past the promised promulgation date of December 2006.

Enough is enough. The industry has had a decade and a half to prepare for lead-safe renovation practices. Such practices have been in place in federally assisted housing for more than six years. The Agency's original research and other studies showing that unsafe housing repair work can cause lead poisoning long ago justified sound, cost-effective, and protective requirements. The training courses and guidance have been on federal agency websites for years. The Agency must delay the rule no longer. We call upon you to ensure that a final rule is issued within the next 30 days.

The proposed rule is not sufficiently protective. The Agency's recent report, "Draft Final Report on Characterization of Lead Dust Levels After Renovation, Repair and Painting Activities (January 23, 2007)" demonstrates that:

- o dangerous methods of paint disturbance generate amounts of lead above the Agency's hazard standards;
- o the proposed containment protocol cannot prevent the dispersal of lead, especially after dangerous methods are used;
- o the proposed cleaning "verification" is inadequate for verifying that dust lead levels after cleanup are below EPA standards; and
- o inadequately trained workers cannot achieve clearance.

We implore you to ensure that, despite opposition from some builders and remodelers, the Agency issues

a final rule that fully protects children by banning all dangerous methods of paint disturbance, requiring post-work clearance testing, requiring proper training for all workers, and ensuring adequate enforcement. Simply put, it is wrong for the Agency to allow renovation, remodeling, and painting work to expose 1.1 million children to the risk of lead poisoning each year when proven methods of protection are available.

We assure you that the nation's pre-eminent public health and affordable housing advocates and others stand ready to assist the Agency to support the completion and implementation of a responsible, effective and timely rule. We would be pleased if you let us know how we can help in this regard. Please contact Jane Malone at the Alliance for Healthy Homes jmalone@afhh.org (t) 202.739.0880 to further the dialogue.

Thank you.

Sincerely,

Alliance for Healthy Homes
American Association on Intellectual and Developmental Disabilities
American Public Health Association
Arc of the United States
Coalition to End Childhood Lead Poisoning
Lead and Environmental Hazards Association
Learning Disabilities Association of America
National Center for Healthy Housing
National Low Income Housing Coalition
Natural Resources Defense Council
OMB Watch
United Cerebral Palsy
United Methodist Church – General Board of Church and Society