



Lead CAP Overview and Lead-Related Legislation

**MRW West Side Meeting
April 10, 2008**

Process for Preparing Lead CAP



■ CAP Process outlined in PBT Rule

- Plan and scope the CAP
- Coordinate with other agencies
- Create advisory committee
- Collect information
- Develop draft recommendations
- Public review and comment of draft CAP
- Final recommendations/Final CAP

Lead CAP Development Process Schedule

- Ecology (Solid Waste Program) and DOH (Office of Environmental Health Assessments) jointly doing Lead CAP
- Advisory Committee created (July 2007)
- Advisory Committee meetings (July 07 – May 08)
[Advisory Committee meetings are Open public meetings]
- Draft Lead CAP (June 2008)
- 60 days public comment (June-July 2008)
- Final Lead CAP (September 2008)

Lead CAP Advisory Committee

General Business & Industry	Medical	Electronic Products	Batteries	Academic Interests	Occupational Health	Product Stewardship	Local Govt
Pacific NW Paint Council ----- Assn of WA Business	WA State Hospital Assn	Philips Medical Systems	All Batteries Sales & Service	Institute of Neurotoxicology and Neurological Disorders	Occupational and Environmental Health Nursing	NW Product Stewardship Council	City of Spokane Solid Waste
Small Business	Lead Abatement	Recycling	Mining	Recreational Fishing	Community Groups	Environmental Organizations	Public Health
Independent Business Association	IRS Environmental	Total Reclaim	NW Mining Assn	Puget Sound Anglers	Solutions for Humanity Community & Environment	People for Puget Sound ----- WA Toxics Coalition	Tacoma Pierce County Health Department

Coordination With Other Agencies

■ Washington agencies:

- Department of Transportation (DOT)
- Department of Fish & Wildlife (DFW)
- Department of Labor & Industries (L&I)
- Department of Community, Trade & Economic Development (CTED)
- Department of Corrections (DOC)
- Department of Early Learning (DEL)

■ Federal agencies

- Environmental Protection Agency (EPA) Region 10

Lead CAP Advisory Committee Meetings

- **July 18** – Public health and environmental concerns about lead, Lead CAP scope
- **September 12** – legacy lead
- **October 25** – lead in consumer products
- **November 15** – lead in consumer products
- **December 13** – occupational exposures in WA and ongoing releases of lead
- **May 1** – wrap up

Increasing Concerns About Current BLL Action Level

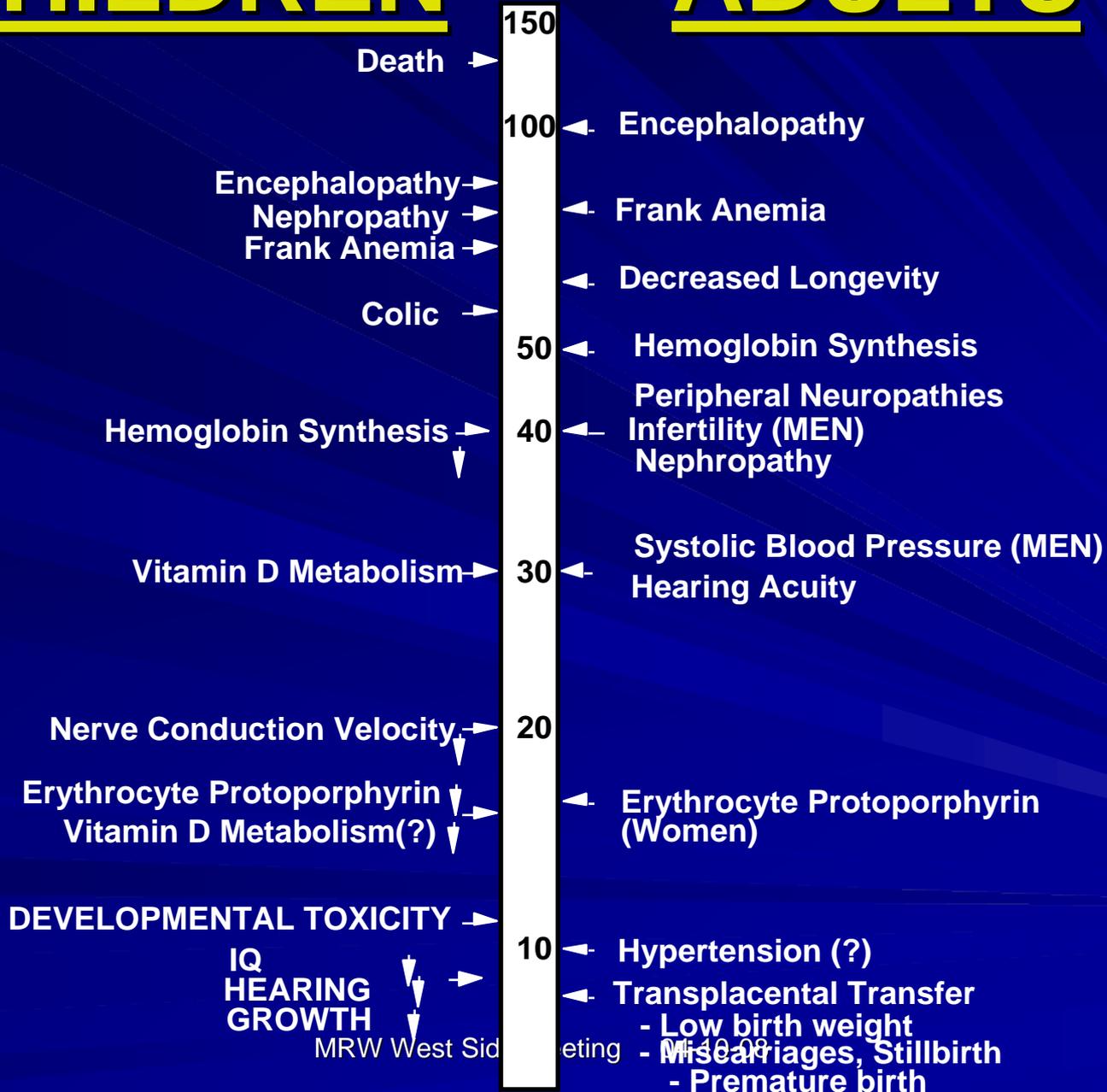
- 1991- CDC* established current BLL of 10 ug/dl as an action level
- CDC: “Current BLL of 10 ug/dl did not define a threshold for the harmful effects of lead.”
- Since 1991, research has strengthened evidence that children’s physical and mental development can be affected at BLL’s < 10 ug/dl

* CDC. 2007. *Recommendations of CDC’s Advisory Committee on Childhood Lead Poisoning Prevention Program*

CHILDREN

Blood Lead
(ug Pb/dl)

ADULTS

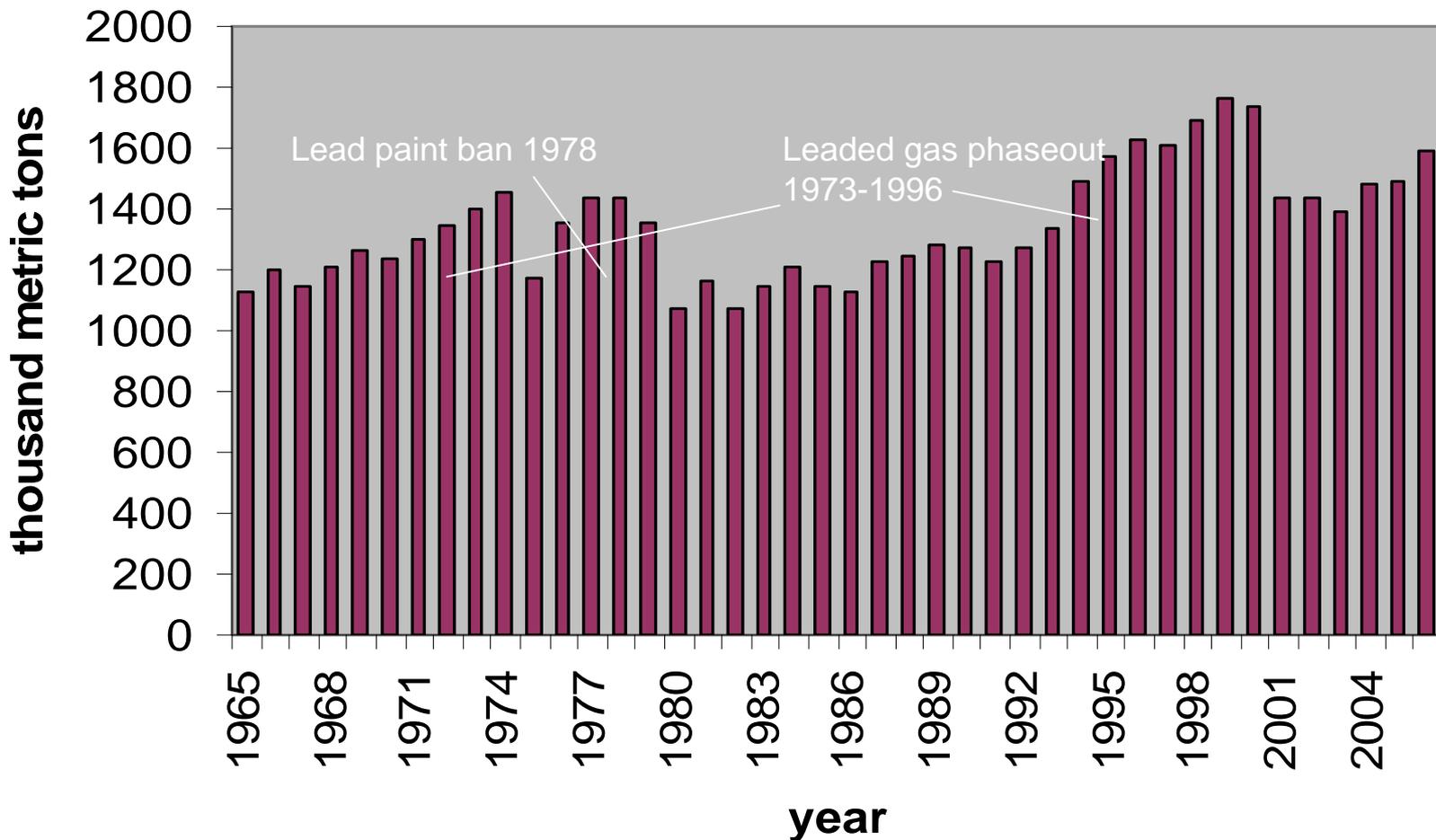


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US Lead Consumption 1965-2006





Sources of Lead



Legacy Lead

- Older Housing
 - (pre 1978 – lead based paint)
- Plumbing
- Contaminated Soil
- Contaminated Sediment
- Historical Mining



My job is mining lead but that tells me a lot about PAINT

ANYBODY who's ever worked with lead knows it's a grand metal. If you could cover a house with lead, it would just about last forever.

And it's not far wrong to say that the next best thing to a metal coating when it comes to protection, is white lead.

Fact is, white lead is made from lead. You can't use any other metal for making paint and get the same result.

What I mean is, white lead paint gives a tough, elastic coat -- a coat that never brittles up or flakes away.

Don't take my say-so. Ask any painter who's been at his job long enough to time the life of white lead. Ask him what he'd paint his own house with.

Any way you look at it, you're money ahead when you paint with white lead.

You'll learn a lot of helpful facts about paint if you read, "What to expect from White Lead Paint." Write for your copy today.

LEAD INDUSTRIES ASSOCIATION
420 Lexington Avenue, New York, N.Y.

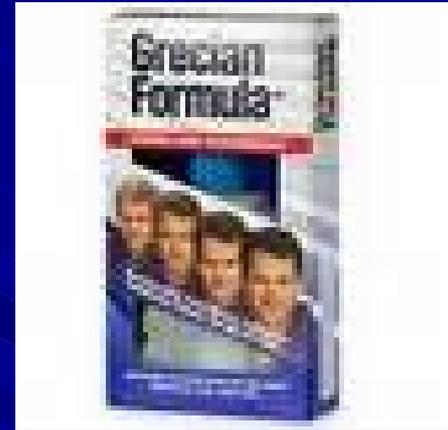
Millions also told these facts about White Lead paint. The advertisement reproduced here is the kind of better news appearing in national magazines.

Your money ahead when you paint with White Lead

A good painter is always a good investment. For example, painting up open joints and cracks on wood trim--filling them properly with white lead putty so they will stay watertight--is one of the dozens of things that a real painter knows how to do.




Sources of Lead Consumer Products



Sources of Lead

■ Occupational sources of lead exposure

- Battery manufacture
- Specialty glass manufacture
- Remodeling older homes
- Bridge sandblasting and painting
- Gun ranges



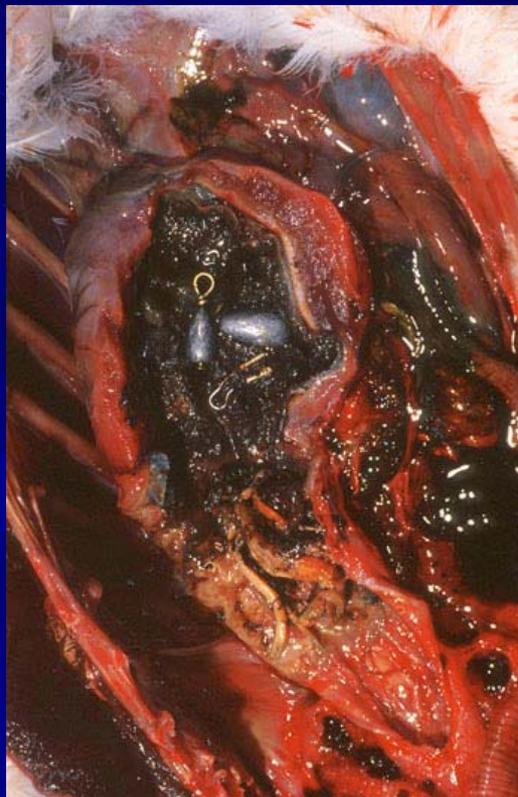
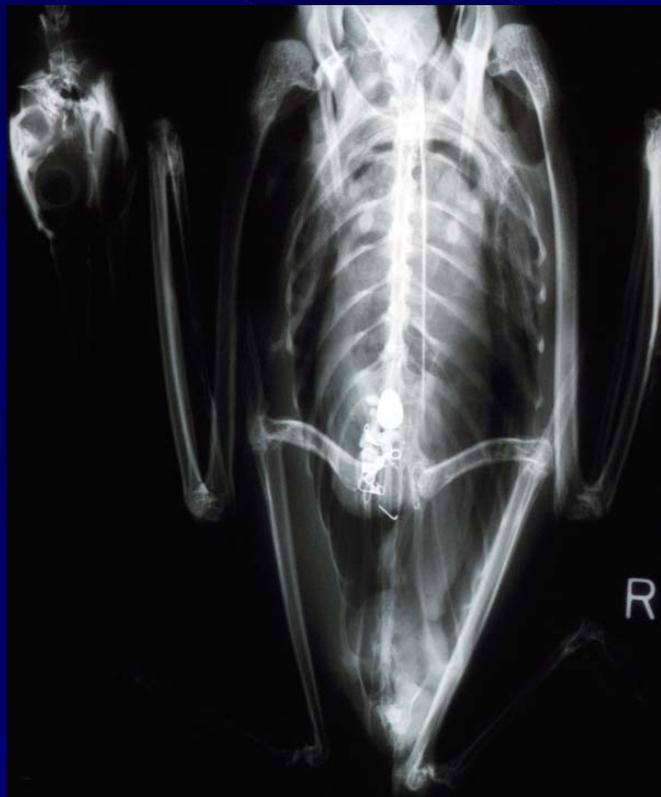
Ongoing Releases of Lead in WA

Sources	Amount (tons)	Medium
Industrial		
Mining	2217	air, land, water
Federal	895	air, land, water
High energy users	52	air, land, water
Remaining reporters	68	air, land, water
Metals	8	air, land
Small users (<100lbs)	?	air, land, water
Consumer products		
Batteries	600	land
Lead Shot	94	land, water
Fishing weights	60	water
Wheel weights	40	air, land, water
Aviation fuel	27	air
Legacy	?	air, land, water

Lead Fishing Weights



Lead Fishing Gear Ingestion



There are Alternatives to Lead Fishing Weights

iron & steel
bismuth
tin
tungsten?
tungsten composites?
copper?



Electronic Waste Concerns



From this



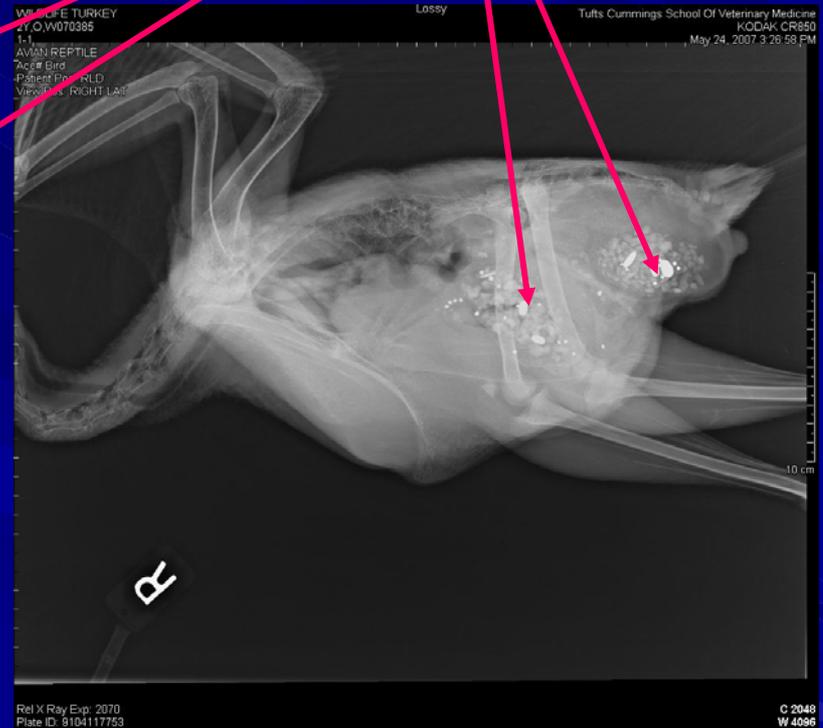
To this.....

Lead in Wheel Weights

40 tons per year are disposed of
on Washington roads



Ingestion of Lead Shot



Guiding Principles

(that are directing Ecology's and DOH's thinking)

- Lead poisoning is widespread and preventable
- Kids more vulnerable than adults – but all people and environment are important
- There is no safe level of lead
- Focus should be on primary prevention (prevent poisoning before it happens)
- All lead poisoned individuals should be identified and helped
- Actions should focus on vulnerable populations
- Education alone is not sufficient
- There are costs associated with our current lead exposure
- People cannot protect themselves from unknown chemical hazards

Preliminary Recommendations in Draft Lead CAP

Recommendations to lower risk for children

- Increase and update education and outreach for both parents and providers - (DOH, Ecology, DSHS, L&I and CTED)
- Increase BLL testing and improve reporting
 - (DOH, DSHS, local health agencies and health care providers)
- Intervene to lower elevated blood lead levels (EBLLs)
 - (DOH, Ecology)
- Primary prevention for lead-based paint hazards
 - (DOH, CTED)
- Review MTCA clean up levels - (Ecology)

Preliminary Recommendations in Draft Lead CAP

Recommendations to lower risk for adults

- Increase and update education and outreach - (L&I, Ecology)
- Conduct a statewide survey on occupational use and exposure to lead - (L&I)
- Harmonize and update standards - (L&I)

Recommendations to lower risk for wildlife and the environment

- Decrease use of distributive products - (Ecology)
- Decrease use of lead in other products - (Ecology)
- Ecology should review rules and permits - (Ecology)

The Best Solutions to the Worst Problems

■ Problem 1: Paint

- Prevention of exposure
 - Pilot project to test children and remediate homes in high risk areas
 - Require risk assessment of pre-1960 rental homes
- Treatment after exposure
 - Increase screening and testing
 - Require remediation in rental housing after a confirmed EBLL

■ Problem 2: Products

- Prevention of exposure
 - Children's Safe Products Act
 - Ban lead in distributive products (shot, fishing weights, wheel weights)

The Best Solutions to the Worst Problems

■ Problem 3: Occupational (LNI)

– Prevention of exposure

Survey of lead use

- Update and harmonize standards for construction and general industry

– Treatment after exposure

- Update and harmonize standards for construction and general industry
- Modify medical removal levels

Safe Children's Products Act (CSPA) [ESSHB 2647]

- Passed Senate on March 7, 2008
 - 40 Yes 9 No
- Passed House on March 10, 2008
 - 92 Yes 2 No
- Signed into law by Gov. Gregoire – April 1, 2008
 - Becomes effective June 12, 2008
- Gov. vetoed Section 1 and 8

CSPA Defines

- Children's cosmetics
- Children's jewelry
- Children's product
 - Toys
 - Children's cosmetics
 - Children's jewelry
 - Any aid for sucking, teething feeding, sleep facilitation or feeding
 - Car seats

CSPA Defines

- Cosmetics
- Manufacturer
- Toy
- Trade Association
- Very bioaccumulative
- Very persistent

CSPA Defines

- High Priority Chemicals as
 - Harm fetus or child, or cause other developmental toxicity
 - Cause cancer genetic damage, or reproductive harm
 - Disrupt endocrine system
 - Damage nervous system, immune system
 - Be a “PBT”
- Phthalates — [DEHP, DBP, BBP, DINP, DIDP, DnOP]

CSPA Exempts

- Batteries
- Slings and catapults
- Darts w/ metallic points
- Toy steam engines
- Bicycles and tricycles
- Video toys
- Chemistry sets
- Consumer electronic products
- Interactive software intended for leisure and entertainment
- BB guns, pellet guns, air rifles
- Snow sporting equipment
- Roller skates
- Scooters
- Model rockets
- Athletic shoes with cleats or spikes
- Pocket knives and multitools

CSPA Directs

- Effective July 1, 2009 – no children's product or product component can be manufactured, sold or distributed in WA
 - Lead > 90 ppm
 - Cadmium > 40 ppm
 - Phthalates > 1000 ppm

CSPA Directs

■ Ecology (with DOH) by 01-01-09

- Identify high priority chemicals that are of high concern for children
 - Criteria
 - Found in biomonitoring studies of umbilical cord blood, human breast milk, urine or other bodily tissues or fluids
 - Found in sampling/analysis in household dust, indoor air, drinking water
 - Added or present in a consumer product used or present in the home
 - Identify children's products or product categories that contain chemicals on list above
 - Report to legislature on policy options and recommendations for addressing children's products that contain chemicals of high concern

CSPA Directs

■ DOH to

- Add chemicals of high concern list to current Product Safety Education Campaign
- Provide outreach to
 - Child-serving entities: hospitals, birthing centers, midwives, pediatricians, family practice physicians, governmental and private entities serving infants, children and families and manufacturers

CSPA Directs

■ Manufacturers to

- Notify product sellers and distributors in WA about this law's provisions at least 90 days prior to any effective date of restrictions
- Recall and reimburse retailers for any recalled product
- Any violations are a civil penalty up to \$5000 for each violation (in the case of a first offense)

Next Steps

- Finalize and implement Lead CAP
- Began implementing the Children's Safe Products Act

For Additional Information

Ecology Lead CAP Web Page:

<http://www.ecy.wa.gov/programs/swfa/leadcap/>

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