

6-4-10 Get The Lead Out

What do fine crystal, Roman plumbing and some toys from China have in common with a few hundred thousand children each year in the United States? High levels of lead. Toys can be recalled and the crystal continues to sparkle and clink ever so beautifully but those children with high levels of lead in their blood suffer from kidney damage and neurological disorders. So, it is with the best of intentions that EPA's Office of Chemical Safety and Pollution Prevention has recently decided that it is time to make children's exposure to lead have the same fate as the Roman plumbing; make it history.

While it is our duty to protect our children, new laws that appear overnight, accompanied by strict requirements and harsh consequences for noncompliance can wreak havoc along the path to a better safer world. EPA set the date of April 22, 2010 as the time to begin implementing its Lead Renovation, Repair and Painting Rule. I recently read that this regulation was proposed a couple years ago. I've also read about its media campaign that brings attention to the importance of this ruling. I haven't seen any evidence of the campaign itself but I've read that it exists.

Actually, if an informed local property management company had not recently told me, I would not have known that as of April 22 of this year, all contractors disturbing more than six square feet of painted surface in buildings predating 1978 face a fine of \$37,000 for not being certified for such work and for not following lead-safe work practices. So, I am passing along the word to you because the law has been implemented, albeit quietly, and it will only get stronger and stricter, as EPA proposes to soon apply its standards to renovations on public and commercial buildings in addition to the private, rental and childcare settings..

This new law will affect home buyers and sellers, contractors, daycare providers, landlords, tenants, property management companies and more. That adds up to a lot of people! You know that a law is going to be extremely challenging to follow when the government uses phrases such as "increasing its outreach efforts" and "easing the transition" and they dedicate a website and toll free number to explaining the law. They don't call it explaining; they call it "guidance" and it is offered at: <http://www.epa.gov/lead>. You can also call 800-424-LEAD (5323) with your inquiries about the new requirements.

And there will be many inquiries, for it is far reaching. And I am already one of the inquirers, for guess who was given the job of overseeing this new rule? That's right, your local board of health. I am uncertain as to the details of how that will play out but I know that it will be felt frequently with housing code inspections and building permits.

Well, I guess my griping won't do any good so I'll "move forward" with this. I just don't want to be linked with the manner in which the law snuck in under the radar. Health agents are taught to relay information quickly and frequently. EPA could benefit from learning the same lesson. One day on Facebook and attorneys, realtors, contractors, homeowners and condo associations would have spread the news like wildfire.

The news of lead abatement requirements has been a long time coming. A report on trends in childhood lead poisoning in CDC's Morbidity and Mortality Weekly Report from 1988 said, "Childhood lead poisoning is one of the most common environmental diseases of children in the United States. In concept, it is a totally preventable disease--remove the lead from the child's environment and the disease will disappear."

But the disease has not disappeared. Even though exposure to lead was reduced by removing it from gasoline, improving drinking water supplies and reductions in the use of lead soldered tin cans, the lead poisoning continues. The remaining source is primarily in the dust of and the soil around older buildings. The longer that lead paint sits on the old structures, the more it peels, cracks and deteriorates. The tiny unseen particles of lead are all the more breathable and edible by young children as they crawl and play and put their hands in their mouth.

We have thus moved from the concept of preventing disease to the actual implementation of measures aimed at reducing the exposures by carefully reducing the lead. With the emphasis on the word, "careful", all contractors working on surfaces with more than six square feet will take a \$300 one-day class in the methods of being careful with lead. Landlords will start notifying tenants of the presence of lead. Once discovered, lead will be assessed, then inspected, then abated by a certified worker, and then re-inspected.

If done legally and correctly and carefully, the de-leading work can receive financial assistance through MassHousing and a tax credit. Most importantly, though, we are finally facing the possibility that children will no longer be poisoned by lead.

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