



April 5, 2005

Honorable Stephen Johnson
Acting Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Johnson:

I am writing to you to formally request that EPA fulfill the 1992 Congressional mandate to establish requirements for the conduct of renovation and remodeling activities that disturb lead-based paint.

Each year Illinois reports the highest number of lead poisoned children in the nation.¹ As Attorney General, my office has enforcement authority under the Illinois Lead Poisoning Prevention Act to prosecute homeowners who fail to remedy lead hazards after a child has been poisoned. It is understood that children are routinely poisoned through lead dust that generates from both deteriorating lead paint and lead dust generated by renovation and remodeling activities. These activities kick up significant amounts of lead dust that permeates carpets, ductwork and soil, creating both short and long-term exposure to residents.

According to the Centers for Disease Control and Prevention, 434,000 preschoolers have elevated blood lead levels which pose a significant threat to their healthy development. The federal strategy to eliminate childhood lead poisoning makes clear that most children are poisoned by lead-based paint and dust hazards in their homes. Nationwide, HUD has determined that more than 25 million homes --fully one-quarter of the entire U.S. housing stock-- have "significant lead hazards." Lead-safe work practices (LSWP) for paint repair and remodeling activities must become an integral part of the national prevention equation.

In 1992, pursuant to Section 402(c) of Title X of the Housing and Community Development Act, Congress directed EPA to issue rules for lead safety in remodeling and renovation by 1996.

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Centers for Disease Control and Prevention, MMWR 52 (SS10); 1-21; September 12, 2003;
<http://www.cdc.gov/mmwr/preview/mmwrhtml/ss5210a1.htm>

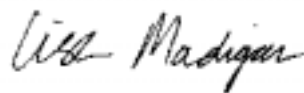
Congress granted the Agency discretion and flexibility to tailor requirements based on risk. However, EPA has not yet established requirements for the conduct of renovation and remodeling activities that disturb lead-based paint. Instead, EPA planned a small-scale voluntary pilot program which was unlikely to result in LSWP as the national norm for remodeling and renovation. We understand that this voluntary pilot program was cancelled due to cuts EPA has made in funding for lead poisoning prevention.

I call upon the EPA to provide effective national leadership to help achieve the national goal of ending childhood lead poisoning by 2010. Specifically, I strongly urge EPA to take the following actions as recommended by the Alliance for Healthy Homes and children's health advocates across the nation:

- * Provide meaningful leadership to make lead-safe work practices the national norm by proposing a results-oriented rule addressing lead-safety in remodeling and renovation by October 1, 2005.
- * Provide leadership to update universal housing codes to recognize the dangers of lead dust and incorporate lead-safe work practices in paint repair activities in older housing.
- * Request an additional \$20 million in FY2006 to invest in EPA's lead poisoning prevention program's budget to expand the supply of lead-safe rental housing through targeted training, technical assistance, and enforcement, and maintain this annual funding level until the national goal of ending childhood lead poisoning is achieved.

Unless EPA's leadership is restored, the 2010 goal of protecting all children from lead poisoning will remain beyond reach. We ask for your personal commitment to ensure that EPA undertakes these actions.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Madigan".

Lisa Madigan
Illinois Attorney General

cc:

Senator Richard Durbin
Senator Barack Obama