

ONE HUNDRED ELEVENTH CONGRESS  
**Congress of the United States**  
**House of Representatives**  
COMMITTEE ON ENERGY AND COMMERCE  
2125 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6115

Majority (202) 225-2927  
Minority (202) 225-3641

April 19, 2010

The Honorable Cass R. Sunstein  
Administrator  
Office of Information and Regulatory Affairs  
Office of Management and Budget  
Eisenhower Executive Office Building  
1650 Pennsylvania Avenue, NW  
Washington, DC 20503

Dear Administrator Sunstein:

I am writing to express my support for full and on-time implementation of regulations to protect children, families, and workers from lead poisoning resulting from renovation activities in older homes. I also strongly support removing a dangerous loophole contained in the original rule, issued in April 2008, which would allow unsafe renovation practices in the homes of women of child-bearing age, homes where children visit, and homes that will be sold to families with young children.

Scientific experts say there is no known safe level of lead. Lead is a potent neurotoxin that is especially dangerous to developing fetuses and young children. The terrible, and often irreparable, effects of lead exposure include learning disabilities, decreased IQ, and behavior problems.

In 1992, Congress amended the Toxic Substances Control Act to require EPA to protect against lead exposure from renovation and remodeling activities in homes with lead paint. On April 22, 2008, the U. S. Environmental Protection Agency issued the Lead Renovation, Repair and Painting (LRRP) rule. The rule applies to homes built before 1978 that contain lead paint, and it requires workers to be trained in simple practices to reduce the generation and spread of toxic lead dust. The rule allowed a two-year transition period before home renovators and remodelers would have to meet its requirements. Nearly twenty years after Congress mandated the use of lead-safe renovation practices, the LRRP rule will finally be implemented on April 22. EPA estimates that 1.4 million children will be protected by these requirements.

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Concerns have been raised about whether a sufficient number of renovation professionals will be trained in lead-safe work practices to implement these requirements as scheduled. However, updated information from EPA shows that such concerns are exaggerated. On April 16, EPA officials stated that 129,000 professionals had already been trained. EPA projects that by June, over 230,000 renovators will be trained, which is the number EPA projected would be needed to implement the rule over the first year that it is in effect. EPA also reports that training classes have been held in every state.

While the rule as finalized provides critical protections in the homes where it applies, it contained an unfortunate loophole that would allow many children to continue to suffer readily avoidable lead exposures. An "opt-out" provision provided that homeowners without young children could choose to forgo the use of lead-safe renovation practices. I have long opposed this provision, and I am pleased to see EPA's October 28, 2009, proposal to eliminate it. If not eliminated, the opt-out will endanger children who visit or move into homes that have been contaminated with toxic lead dust during unsafe renovations. In addition, it imperils children who live in homes next to properties where owners choose to opt out of lead-safe practices.

The LRRP rule requires simple, commonsense work practices to prevent harmful lead dust from entering the areas where children live and play. I urge you to implement the rule on schedule, without the dangerous opt-out loophole.

Thank you for your attention to this matter.

Sincerely,



Henry A. Waxman  
Chairman

The Honorable Joe Barton  
Ranking Member