

Cleveland

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R. G. Ball

Lead in Paint Legislation

**JOHN T. WILLIAM
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At your request I attended a government-industry conference at the EPA headquarters in Washington on February 10, 1972.

Apparently the purpose of the conference was to discuss possible research programs designed to elucidate the safe level of lead in paints. Much research programs really were not discussed since it soon became evident that in the absence of refuting evidence now the level of 0.06% metallic lead on the dried paint film was going to be adopted shortly — probably via a regulation published by EPA.

At a subsequent (after lunch) meeting between EPA and paint industry representatives only it was agreed that the paint industry should express agreement to the 0.06% lead level. In exchange for our acceptance it was hoped that we could get the following:

1. A delay of 12-18 months after publication before the regulation went into effect and then to have it apply only to paints manufactured after that date.
2. A total pre-emption clause that would prevent cities and states from adopting more stringent limits on lead or different labeling requirements.

(These two were the major concessions hoped for.)

3. Separation of the restrictions on other heavy metals from the lead legislation.

It became evident during the meeting that the government people, particularly EPA, had been looking for more factual, data filled letters from the paint industry in the comments on the publication of the EPA proposal, the Ryan bill and the Kennedy bill. We are drafting a new letter to this effect, although the official date for comments has passed.

It also became evident that the government representatives, particularly EPA, are much more interested in funding research on methods of rehabilitating old painted surfaces than they are in sponsoring new research on the problem of lead levels in current paints. Perhaps we should consider such projects (funded by the government) as a public service image promoter and possibly profit oriented business for herwin-illman.

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The impact of a 0.06 lead limitation on the paint industry and the impact of the new lead standard is not yet clear. Even with a time delay and the pre-emptive impact will be severe. This will require major efforts by the technical department's trade/painter groups who already have been working because of other major upheavals (withdrawal of reduced TiO_2 pigments, Titanium Pigment, withdrawal of S-W pigments, restrictions on use and increased severity of mildew in the southeast).

Particular drying problems occur in at least the following areas:

1. **W/P whites** -- These have been linseed oil paints. To get without lead (0.06) does not allow for enough lead to make it work. We probably will have to go to an alkyl formulation like the one being used on the West Coast, A2 W 29. The RMC is about 20% per higher.
2. **Oil stains** -- Probably will have to be reformulated.
3. **Clear finishes** -- Zinc pigment helps drying, clears tend more of a problem in drier formulation.
4. **Aerosols** -- The poor solvency of the propellants for paint easily solvated vehicles which tend to make drying more critical.
5. **Forth and Floor** -- The desire for snap dry in these products makes drier formulation more critical.
6. **Blacks and deep colors** -- The pigments in these tend to dry slower and give more problems of retention of drying properties after aging in the package.
7. **Exterior products** -- The fact that these products must dry under extreme conditions from cold and damp to hot and dry makes the task of new formulations much more complicated.

This is not a complete listing, but it does point out that we cannot make simple, across-the-board substitutions for lead driers with testing each new product. The job ahead of the technical department is tremendous.

Director of Paint Research

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cc: H. E. Pitzer
F. C. Gough
J. J. Lanzetta

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