

**ORAL STATEMENT OF JEFFREY L. ZELMS  
CHAIRMAN, LEAD INDUSTRIES ASSOCIATION, INC.**

**ON S. 2593 AND S. 2637**

**BEFORE THE  
SUBCOMMITTEE ON TOXIC SUBSTANCES, ENVIRONMENTAL  
OVERSIGHT, RESEARCH AND DEVELOPMENT  
SENATE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS**

**JUNE 27, 1990**

Mr. Chairman, I am Jeffrey L. Zelms, President of the Doe Run Company, North America's largest lead producer.

I appreciate the opportunity to appear before the Subcommittee. When I last appeared here on March 8, the Subcommittee focussed on exposure from lead paint. I indicated then we shared your concerns about past uses of lead and expressed our desire to work with the Subcommittee to help solve these old use problems and other lead exposure concerns. Since March 8, we have continued dialogue with you and your staff and with the Agencies.

S. 2637 goes well beyond the issues discussed on March 8. It does not distinguish between old uses of lead -- such as consumer paints, uses which have been discontinued -- and today's products. The bill would significantly curtail, if not eliminate, many beneficial and essential uses of lead, where there is no significant public exposure. Beyond that, it would virtually eliminate any and all new uses of lead.

## **Reasons for Opposition**

LIA would like to support legislation, but we cannot endorse S. 2637 for the following reasons:

- o The bill would restrict current uses of lead that are socially and economically beneficial without requiring a showing of the need for such restrictions.
- o It would effectively ban new uses of lead and therefore stifle research and development, potentially reducing this Nation's competitive ability by eliminating access to this metal.
- o It ignores measures that have already been taken and those that are now underway to further reduce lead exposures.
- o S. 2637 would prejudge many of the issues that EPA is investigating and will be acting upon, without the benefit of the substantive analysis that the Agency is mandated to perform.

## **What Does LIA Support?**

There are provisions in both S. 2637 and S. 2593 and other initiatives to reduce lead exposures that the LIA does support. For example, we support the battery recycling provisions of S. 2637. And, we support the research and study provisions of S. 2637. In other areas:

- o We support EPA regulations reducing corrosivity of drinking water supplies to minimize lead in that water;
- o We support the review of existing lead uses that is already underway at EPA;
- o We endorse a procedure for notifying EPA of new lead uses with the potential for significant public exposure to lead so that EPA can determine whether further regulatory actions under TSCA are required;
- o We support enhanced blood lead screening programs and emergency response programs for children with unacceptably high blood lead levels; and,
- o We endorse an industry-wide new product review program designed to help minimize potential lead exposure.

### **The Bradley Bill**

Senator Bradley's bill takes a far less restrictive and more cautious approach in many respects. We support many of the study and investigatory provisions of S. 2593 -- but believe these and other provisions are not necessary in view of the current EPA lead review.

We are greatly troubled by the provisions of S. 2593 that would ban lead in packaging products. This provision seems to be based on a

concern that lead packaging materials present environmental hazards when included in the municipal solid waste stream. As detailed in my written testimony, recent studies show that the presence of lead containing products in municipal solid waste do not pose a threat to human health or the environment.

### **The Industry Today**

Lead is an important component of the U. S. economy. The economic contribution from the basic mining, refining and milling of lead approaches \$1.1 billion annually. The many users of lead in ceramics, electronics and industrial fabrication contribute even more significantly to our economy.

Our industry has experienced significant changes in our industry in the 10 years. The uses today reflect changing environmental attitudes and changes in our economic and industrial base. The old uses of lead have been replaced by new, safe applications in high technology, radiation screening, lighting, energy conservation and even pollution control -- and we have enhanced traditional uses where there is no significant public exposure.

Because of its use in many electronic and computer products, lead is an essential part of our military weapons, detection and communications systems. Lead is critical for radiation shielding -- for use in nuclear systems and hospitals for x-ray equipment.

### **Blood Lead Levels**

Let me now turn to the issue of blood lead levels. LIA has obtained blood lead data for children living near four U.S. smelters and one in Canada. All are below the 15 ug/dl goal set by EPA in 1978, and the contractor advised LIA that these levels will continue to decline.

I have detailed this data in my written submission; but, I would like to highlight just a few points. Blood lead levels around my company's Herculanum smelter have been reduced from 20 ug/dl in 1975 to 14 ug/dl in 1984. As to 1990, the projected mean blood lead level for children under seven is 9.9 ug/dl. This projection is based on EPA's model; further, sectorial random samples around our plant indicate the mean blood lead level is closer to 8 ug/dl, demonstrating the conservative nature of EPA's model.

Other smelters measured were lower yet. For example, measurements taken this spring at the Revere Smelting and Refining Corporation plant in Wallkill, New York showed that the mean blood lead level was 4.69 ug/dl; state data collected during the same period showed an arithmetic average of 6.8 ug/dl for children and adults and no child was over 9 ug/dl.

### **Air Standards**

The reduction in the National Ambient Air Quality Standard to 0.5 ug/M3 that would be mandated by S. 2637 is not necessary. EPA studies show that such a reduction would reduce the mean blood lead of children living near lead emitting sources by a fraction of 1 ug/dl.

EPA's Clean Air Science Advisory Committee agrees that it is unclear whether reducing the standard would have a significant benefit.

### **Conclusion**

In conclusion, Mr. Chairman, the Lead Industries Association supports certain sections of S. 2637 and S. 2593, but we must oppose the specifics I have stated. Despite our opposition, LIA and my company remain committed to working with you and others to develop a fair and workable bill. We know that there is work to be done and we are prepared to be part of the solution.