

MEETING TO DISCUSS LEAD BASED PAINT LAW

A meeting was held in the offices of the Lead Industries Association on Monday, May 20, 1971 to discuss the recent "Lead Based Paint Poisoning Prevention Act" to review its possible effect on lead pigment production and use; and to decide a course of action for LIA.

Those in attendance were:

Messrs:	Robert Beil	MacGregor Lead Co.
	Jerome Cole	International Lead Zinc Research Organization, Inc.
	Jefferson Hudson	Eagle Picher Industries
	Richard Hunt	NL Industries
	John Kimberley	Lead Industries Association
	Ben McKinney	Quemetco, Inc.
	John Nordyke	Hammond Lead Product, Inc.
	Jerome Smith	Lead Industries Association, Inc.
	Carl Thompson	Hill & Knowlton
	Roger Walker	Eagle Picher Industries
	Henry Whitson	NL industries

Mr. Kimberley, as meeting chairman, suggested that a target of the meeting would be to formulate a statement or position which the Lead Industries Association could adopt in dealing with Governmental agencies, as well as in response to future legislative activities by cities and states.

Colonel Hunt briefly covered the history and development of Public Law 91-695 and observed that more could be ascertained about the actual intent of the Law by referring to the legislative background found in the Committee reports.

Regarding implementation of the Law, it was noted that funds for enforcement of the various Titles could not possibly become available before October, 1971, and most likely would not be appropriated before January of 1972. Meanwhile, since Title IV does not require funding, this section, which prohibits future use of lead based paints in residential structures, is being acted upon.

The Secretary of HEW has given the Bureau of Community Environmental Management the responsibility of determining "what steps should be taken, and what conditions should be imposed" to prohibit future use of lead based paints in residential structures. The Director of this Bureau, Mr. Robert E. Novick, along with the Deputy Director, Mr. Richard Gallagher, are now in the process of interviewing interested parties to

determine how best to carry out this charge. Mr. Hunt and members of NPVLA have met with Mr. Gallagher, and while he appears to be most knowledgeable and understanding of the paint industry's problems, it was felt that continued efforts should be made to keep him aware of our concern, as well as to inform him of LIA's activities in the control of childhood lead poisoning.

Responsibility for the removal and control procedures of the Bill rest with Dr. Irwin Billick in the Office of Research and Technology, HUD. He has asked LIA's help in attacking the problem and has expressed an interest in hearing from others on any ideas they may have about detection of lead based paints and methods of removal. His entire effort at present is directed towards interiors.

It was the general feeling of the group that 91-695 will not limit the use of anticorrosive lead pigments for steel structures and the like, but vigilance will be necessary to see that specifiers and users alike do not misinterpret the Law and rule out lead's use in areas where it is not a hazard.

After considerable discussion regarding the claim that greater than 1% lead pigment is necessary for exterior primers, it was agreed that LIA would not take a primary position on the matter, but would allow other groups, notably NPVLA, to press for permission to use lead based primers under non-lead topcoats for exterior wood surfaces. Mr. Kimberley noted that LIA cannot take an active role in support of this proposition, and if asked about the possible hazard to children, must be completely frank and open on the matter.

Mr. Nordyke observed that the wording of the law is purposely vague in that the Secretary of the HEW may take whatever steps he deems "necessary and appropriate" to prohibit future use of lead based paints in residential structures, and this may provide latitude for use of lead based exterior primers. Nevertheless, it was the consensus of the group that, in spite of the ambiguity, given the present hysteria and concern over lead, there is little likelihood that lead paints will prevail for long unless there is clearer definition of just what is permissible under the law.

The ~~need~~ ^{help} of most groups involved in the use, specification and manufacture of lead pigmented paints was cited. It was agreed that LIA would draft a personal letter and send it along with appropriate literature on lead to as many of these groups as possible. Suggested for starters were: SEPC, ASSHO, HRB, consulting engineers. Colonel Hunt agreed to send LIA names of others to whom it would be worthwhile reaching.

Respectfully,



J. F. Smith, Acting Secretary